

PART ONE

Reports from the Planning and Environment Committee Meeting held at 7.30pm on Tuesday, 27 April 2010.

APOLOGIES

ACKNOWLEDGEMENT OF LAND

DECLARATIONS OF INTEREST

Pecuniary Interests

Non Pecuniary – Significant Interests

Non Pecuniary – Less than Significant Interests

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Minutes of the Planning and Environment Committee held on 27 April 2010

Present Councillor R Matheson (Chairperson)
Councillor J Bourke
Councillor G Greiss
Councillor R Kolkman
Councillor M Oates
Councillor J Rowell
General Manager - Mr P Tosi
Director Planning and Environment - Mr J Lawrence
Manager Development Services - Mr J Baldwin
Manager Compliance Services - Mr A Spooner
Manager Waste and Recycling Services - Mr P Macdonald
Acting Manager Communications and Marketing - Ms J Uluibau
Manager Community Resources and Development - Mr B McCausland
Environmental Planning Coordinator - Renee Winsor
Corporate Support Coordinator - Mr T Rouen
Executive Assistant - Mrs D Taylor

Apology (Rowell/Kolkman)

That the apology from Councillor Thompson be received and accepted.

CARRIED

Acknowledgement of Land

An Acknowledgement of Land was presented by the Chairperson Councillor Matheson.

DECLARATIONS OF INTEREST

Declarations of Interest were made in respect of the following item:

Non Pecuniary – Less than Significant Interests

Councillor Greiss - Item 4.1 - Legal Status Report, Pope Shenouda III Coptic Christian Centre - Councillor Greiss advised that he attends the Church in question on average on a fortnightly basis. He is not on the board nor does he receive remuneration.

1. WASTE AND RECYCLING SERVICES

1.1 Outcome of Clean Up Australia Day 2010

Reporting Officer

Manager Waste and Recycling Services

Attachments

Nil.

Purpose

To inform Council of the results of Clean Up Australia Day 2010.

Report

Clean Up Australia Day 2010 was held over the following days:

- Business Clean Up Day - Tuesday, 2 March
- Schools Clean Up Day - Friday, 5 March
- Clean Up Australia Day - Sunday, 7 March

The 2010 event marked the 20th anniversary of Clean Up Australia Day, and over 588,000 volunteers at 7073 registered sites took part in the event, removing around 15,560 tonnes of rubbish from the environment across Australia. These figures represent a 6 percent increase in participation from 2009, and similarly, an increase in participation was also recorded in Campbelltown in 2010.

There were 53 sites registered in the Campbelltown Local Government Area in 2010, with Schools Clean Up Day accounting for 23 of these sites, and 30 sites registered for the main event on Sunday 7 March. This has been the highest number of registrations received to date.

As in previous years, Council supported the event by:

- assisting Clean Up Australia and volunteers, both on and prior to the day;
- promoting the event through local media;
- coordinating site registrations;
- providing additional equipment; and
- allocating staff to act as trouble-shooters and to remove waste collected.

Over 8 tonnes of rubbish were collected from parks, bushland and waterways across the Campbelltown Local Government Area. Additional rubbish was also removed from school grounds during Schools Clean Up Day, however, as most schools arranged their own disposal of this rubbish, tonnage information is not available.

Letters of appreciation have been sent to all schools and site coordinators who participated in Clean Up Australia Day. In addition, an advertisement appeared in the Macarthur Chronicle and Macarthur Advertiser on 30 and 31 March listing all registered sites and thanking volunteers for their contribution.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Bourke/Rowell)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 4 May 2010 (Matheson/Rowell)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 71

That the Officer's Recommendation be adopted.

1.2 National Waste Policy adopted by the Environment Protection and Heritage Council

Reporting Officer

Manager Waste and Recycling Services

Attachments

Nil

Purpose

To provide Council with updated information and recommendations arising from the meeting of the Environment Protection and Heritage Council (EPHC) in November 2009.

History

At its meeting on 4 August 2009, Council considered a report regarding environmental issues surrounding the disposal of plastic bags and motor vehicle tyres. The report advised of the EPHC's and the tyre industry's consideration of a 'Draft Tyres Product Stewardship Agreement'. The report also advised that there was some optimism that a forthcoming meeting of the EPHC in November 2009 may formally adopt this Agreement, in which tyre producers would commit to a long-term staged recycling program, culminating in the recycling of 90% of tyres by the tenth year of the Agreement.

Council resolved that a further report be provided following the November EPHC meeting examining the recommendations that arose from that meeting.

Report

At the EPHC meeting on 5 November 2009, Federal and State Environment Ministers formally adopted the '*National Waste Policy: Less Waste, More Resources*', which describes a ten-year vision for resource recovery and waste management across Australia.

The National Waste Policy outlines plans for a product stewardship scheme for recycling computers and televisions, with free drop-off arrangements available to residents. The Policy anticipates that under this scheme, 80% of all televisions and computers will be recycled by 2021. In a press release issued shortly after the EPHC's meeting in November 2009, the Federal Minister for the Environment, Heritage and the Arts announced that the scheme would be industry-run, and backed by Commonwealth legislation. The press release pointed to provision of 'mandatory, voluntary and co-regulatory schemes' for the product stewardship of electronic waste.

The November 2009 EPHC meeting also resulted in agreement on an industry-led scheme for the recycling of used tyres, commencing in 2010. The press release advised that in order to get the scheme's design under way, a 'Tyres Roundtable' would be convened with the Federal Government and various industry stakeholders.

While the National Waste Policy does not provide details of specific actions that will be taken to activate these planned schemes, the Policy states that 'an implementation plan will be released by (the) EPHC following its first meeting in 2010'. It is noted that there has been no EPHC meeting since 5 November 2009. The next Standing Committee of the EPHC is scheduled for 21 May 2010 and the next full meeting of the EPHC is scheduled for 5 July 2010. It is hoped that the anticipated implementation plan will be released at that time.

Officer's Recommendation

That following the Environmental Protection and Heritage Council's meeting in July 2010, a further report be presented to Council, providing details of the implementation plan for the National Waste Policy.

Committee's Recommendation: (Bourke/Greiss)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 4 May 2010 (Matheson/Rowell)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 71

That the Officer's Recommendation be adopted.

2. ENVIRONMENTAL PLANNING

2.1 Glenfield Road Urban Release Area - Proposed Rezoning

Reporting Officer

Manager Environmental Planning

Attachments

1. Site Map (Distributed under separate cover).
2. Letter from the Department of Environment Climate Change and Water (DECCW).
3. Proposed rezoning – Campbelltown (Urban Area) Local Environmental Plan (2002) Amendment No. 22 (Distributed under separate cover).

Purpose

To seek Council's endorsement of a proposed minor zoning adjustment for land currently zoned 6(a) Local Open Space to 2(b) Residential B within the Glenfield Urban Release Area.

History

In October 2009 as part of DA 1212/2009, Council approved Stage 2 of the Panorama Estate at Glenfield, in which Mirvac was the applicant and landowner. This approval allowed for a subdivision that encroached on areas of open space.

Report

Council officers have reviewed the approved DA and have noted two areas where the approved subdivision has marginally encroached onto an area currently zoned for open space. It should be noted that while not desirable, these types of anomalies sometimes occur as development proceeds in 'greenfields' urban release areas. As masterplans are transferred into more detailed subdivision plans, road realignment, property boundary shifts and/or changes in building design are required to ensure the best possible on ground outcomes.

In circumstances such as this, it is important to consider in the first instance, for what purpose the land was originally zoned, secondly how the desire to achieve this purpose can be maintained thirdly, are there any environmental implications to be considered and fourthly are there any negative implications for surrounding development. In this case the areas that need to be addressed can be considered as two separate areas (Area 1 and Area 2 - see Attachment No. 1).

Area 1 - Atlantic Boulevard

Area 1 includes land proposed to be used as one of several parks planned within the release area. The development approval allows for the re-alignment of two roads (Atlantic Boulevard & Boddington Road), which has resulted in a reduction of approximately 1,100sqm of the originally proposed park. While this loss is considered to be minor given the size of the park area (5,500m²), it is also important to note that as part of the Stage 2 approval process, the developer (Mirvac) has proposed to construct a new recreation facility, similar to the facility built as part of the Stage 1 approval, for use by occupants of the Mirvac subdivision. This provides for an additional 2,001sqm of community open space.

It should also be noted that, should Council approve the rezoning of this land, the overall open space acquisition cost for the Glenfield Urban Release Area would be reduced by approximately \$189,750. While reducing the size of the proposed park, the rezoning of land along the periphery of the park would have no impact on its proposed use. There would be no environmental impacts as a consequence of the proposed zoning amendment.

Given the minor loss of open space and when consideration is given to the proposed recreation facility to be provided by Mirvac for future residents of its development, it is believed that there are no issues that would preclude the minor rezoning of land within Area 1.

Area 2 - Boddington Road

Area 2 is a 10m wide strip of land located along the southern boundary of the urban release area which is adjacent to Hurlstone Agricultural High School. The realignment of Boddington Road created a need to extend the adjoining lots to the south which subsequently encroached on the area zoned for open space. This would result in a loss of approximately 1,475sqm of open space.

In this instance the area had been originally zoned to protect a corridor of trees along the southern boundary. Rezoning of this land, if not appropriately managed and controlled, may have the potential to impact on the purpose for which this land was zoned as well as the environmental values of the land.

A meeting was convened between Council officers and the Department of Environment Climate Change and Water (DECCW) in an effort to seek possible resolutions to this issue. The DECCW have offered, as a solution, placing a S88B restriction on the affected properties. This would place restriction on uses within the designated area as well as place a range of management requirements upon the owner. The DECCW have offered to support the rezoning, subject to the creation of a Section 88B instrument which provides protection to the vegetation on the future residents' property.

The use of a S88B restriction is advantageous to Council in a number of ways. There is no longer a need to acquire the land saving Council approximately \$254,437. Secondly, the on-going maintenance would become the owner's responsibility. In the long term this will save Council considerable funds and allow the owners to manage the property in accordance with the DECCW requirements.

In addition, Council officers have met with representatives from the Department of Planning to gain advice on the most appropriate method for expediting the proposed zoning amendment, should Council agree to the proposal. The Department acknowledged the minor nature of the proposed amendments and recommended that a draft LEP be prepared via the "Gateway process" prior to the land being sold, hence avoiding the situation of dealing with multiple landowners and providing certainty for the prospective purchasers of the land.

In recognition that the proposed zoning amendments are minor and that there will only be one owner affected (i.e. Mirvac - The Developer), it was suggested that Council should seek an exemption to public exhibition, and given the consultation that has occurred with the DECC, Council also seek an exemption to the requirement for State Agency consultation.

Conclusion

The need to amend Council's zoning plans is an inevitable outcome of the development process in urban release areas. In instances such as this, it is important to understand the reasons behind the original zoning and ensure that the purpose/role/function of the land is not impacted on by any proposed rezoning.

In both Area 1 and Area 2, the proposed rezoning would maintain the purpose/role/function of the space albeit through different mechanisms. Initial discussions with Government agencies (including the Department of Planning) have indicated support for the rezoning proposal should Council ensure the ongoing protection of Area 2 (through an appropriate Section 88B instrument) in particular. The owner of the land (Mircvac) has applied for this rezoning request and strongly supports the proposed LEP amendment to rezone the land, as prescribed in this report.

In addition, the proposed rezoning will have no negative impact on any adjoining land.

The rezoning of these areas from 6(a) Local Open Space to 2(b) Residential will also minimise Council's ongoing maintenance requirements and remove the need for Council to acquire 2,575sqm of land which equates to a saving of \$444,187. It is therefore recommended that Council support the rezoning of Area 1 and Area 2 in the Glenfield Urban Release Area from 6(a) Local Open Space to 2(b) Residential.

Officer's Recommendation

1. That Council prepare a draft amending Local Environmental Plan to rezone part of land known as Lot 921, DP1137252 and Lot 10, DP17859, within the Glenfield URA from 6(a) Open Space to 2(b) Residential.
2. That Council prepare a planning proposal and submit the proposal to the Department of Planning via the Gateway Process, recommending that no public and/or State Agency consultation be required due to the minor nature of the amendment, only one owner (applicant/developer) affected, and consultation previously undertaken with the relevant State Agency (DECCW).

Committee's Recommendation: (Bourke/Kolkman)

That the Officer's Recommendation be adopted.

CARRIED

Voting for the Committee's Recommendation were Councillors: Bourke, Greiss, Kolkman, Matheson, Oates and Rowell.

Voting against the Committee's Recommendation: nil.

Council Meeting 4 May 2010 (Bourke/Kolkman)

1. That Council prepare a draft amending Local Environmental Plan to rezone part of land known as Lot 921, DP1137252 and Lot 10, DP17859, within the Glenfield URA from 6(a) Open Space to 2(b) Residential.
2. That Council prepare a planning proposal and submit the proposal to the Department of Planning via the Gateway Process, recommending that no public and/or State Agency consultation be required due to the minor nature of the amendment, only one owner (applicant/developer) affected, and consultation previously undertaken with the relevant State Agency (DECCW).
3. That welcome packs for new residents in the Glenfield Urban Release Area include a letter which specifically alerts residents to the following:
 - a. That removal of dead wood and dumping of rubbish are illegal and especially damaging in the Cumberland Plain Woodland Reserve.
 - b. That garden plantings should exclude species that become weeds in natural areas.
4. That notices be installed around the perimeter of the Cumberland Plain Woodland Reserve informing residents:
 - a. That removal of dead wood is illegal.
 - b. That dead wood and old trees provide habitat for wildlife and nutrition to the soil.

Council Resolution Minute Number 72

That the Council Resolution be adopted.

Voting for the Council Resolution were Councillors: Borg, Bourke, Chanthivong, Glynn, Greiss, Hawker, Kolkman, Lake, Matheson, Oates, Rowell, Rule, Thomas and Thompson.

Voting against the Council Resolution: nil.

ATTACHMENT 2

Your reference
Our reference: Marnie Stewart 9995 6861

FEB18'10 08:25:05 AOUU

Mr Phil Jemison
Manager Environmental Planning
Campbelltown City Council
PO Box 57
Campbelltown NSW 2560

Dear Mr Jemison

RE: Glenfield Urban Release Area

I refer to our recent meeting held on 11 February 2010 regarding a proposal to rezone land within the Glenfield Urban Release Area from zone 6(a) Local Open Space to 2(b) Residential.

It is understood that Council is seeking advice from DECCW on conservation mechanisms to protect an area currently zoned 6(a) containing a 6m wide area of Cumberland Plain Woodland (CPW) listed as Critically Endangered Ecological Community (CEEC) under the *Threatened Species Conservation Act, 1995* and a 4m wide cleared area. It is also understood that the 6(a) land is located at the rear of 6 residential lots and that Council's intention is to retain and protect the CPW.

As discussed in the meeting, DECCW's preference is that a split zoning be applied to the 6 lots with the 6(a) lands zoned as E2 Environmental Conservation. While Council noted this as an option to protect the area, Council raised an alternative option of imposing a Positive Covenant and Restriction on Use to be implemented on the respective titles via section 88 instruments. In support of this option, Council provided information from the applicant on the scope and purpose of the proposed covenant. As advised in the meeting, DECCW is of the view that the proposed Covenant and Restriction on Use provisions suggested by the applicant are not sufficiently robust and will not provide long term protection and security of the conservation values.

Council is advised that should the option of a positive covenant be pursued, DECCW would only be supportive of the alternative to an E2 zoning if the provisions of the Covenant and Restriction on Use were significantly strengthened to provide greater protection of the area currently zoned 6(a), particularly the area containing the CEEC. As suggested in the meeting, the Restriction on Use should prohibit structures, paving, buildings, infrastructure, rubbish dumping, native vegetation removal and/or destruction and the planting of exotic species within the CEEC. DECCW supports the option raised in the meeting of landscaping of the cleared area with local indigenous flora to create a buffer to the CEEC. Consideration should also be given to the location of the fencing within the area covered by the Covenant with a view to ensuring the location of fencing does not adversely impact upon the CEEC. The condition of the vegetation should also be considered to ascertain the need for any rehabilitation works.

The Department of Environment and Climate Change is now known as the Department of Environment, Climate Change and Water

Department of **Environment and Climate Change** NSW

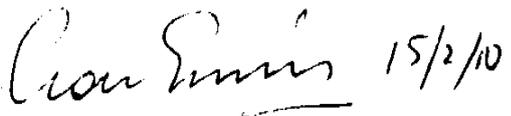
A model s88b covenant clause is included in Attachment 1 which DECCW considers appropriate for retaining and protecting areas of high conservation value, however it is acknowledged that amendments to this example will be required to suit Council's unique situation with the separate cleared and vegetated areas. It is also recommended that Council obtain legal advice in relation to the drafting and scope of any covenant.

In the event that an appropriate Covenant and Restriction on Use is not developed to provide for the retention, protection and long term security of the area, DECCW strongly recommends that the current zoned 6(a) lands be zoned E2 or the equivalent zoning under Council's current LEP zoning regime.

Council is also advised that the ecological community listing of CPW under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* has been upgraded to Critically Endangered.

If you have any queries on any of the above please do not hesitate to contact Marnie Stewart, Conservation Planning Officer, on ph 9995 6861.

Yours sincerely



Lou Ewins
Manager Planning and Aboriginal Heritage
Metropolitan
Environmental Protection and Regulation

ATTACHMENT 1

Draft Model s88B covenant

1. Interpretation

In this Covenant, unless the contrary intention appears:-

"the Owner" has the same meaning as provided for in the Environmental Planning and Assessment Act 1979 (EP&A Act) and includes any future owner or owners.

"the land subject to this Covenant" means the land herein before described.

"Council" refers to the council, as defined in the EP&A Act, which is the authority benefited by this Covenant.

"building" and "building work" has the same meaning as provided for in the EP&A Act.

"native plant" has the same meaning as in Section 5 of the National Parks & Wildlife Act 1974.

"native fauna" means any animal-life that is indigenous to New South Wales or is known to periodically or occasionally migrate to New South Wales, whether vertebrate or invertebrate and in any stage of biological development, but does not include fish within the meaning of the *Fisheries Management Act, 1994*.

"local indigenous flora" means all native vegetation indigenous to the land subject to this Covenant as shown in the most recent edition of Harden, G. J. (Ed.) *Flora of New South Wales*, Volumes 1-4 (1993) or later editions of this text.

"local indigenous fauna" means all fauna that is indigenous to the land subject to this Covenant.

"exotic flora" means all flora other than native plants.

"exotic fauna" means all animals other than native fauna, but does not include fish within the meaning of the *Fisheries Management Act, 1994*.

"controlled burning" means the lighting of a fire for a specific management purpose, including fuel management, hazard reduction, vegetation and habitat management, and research, in weather conditions that will cause the fire to burn at the predetermined intensity required for the purpose, and within predetermined boundaries.

"reasonable" in relation to carrying out an activity, means using the best methods available and carrying out the activity in such a way as to have minimal impact on the conservation values of the area subject to the Covenant.

Words importing the singular number shall include the plural and masculine gender the feminine or neuter and vice versa.

Any reference to a person shall be deemed to include a corporate body and vice versa.

Any covenant or Covenant on the part of two or more persons shall be deemed to bind them jointly and severally.

2. Use of the land subject to this covenant

The terms of restriction on the use of the land subject to this Covenant are as follows:-

General responsibilities

2.1 Except as otherwise permitted by this Covenant, the Owner shall not carry out any act or omit to carry out any act, or cause or permit any act to be carried out or any act not to be carried out which may adversely affect any native fauna or native plants or their habitats on the land subject to this Covenant.

Development

- 2.2 The Owner shall not construct or allow the construction of any new road, access track, building, building work, internal fencing, paving or infrastructure services in the land subject to this Covenant.

Subdivision

- 2.3 The Owner shall not permit subdivision of the land subject to this Covenant.

Native plants and other potential habitat

- 2.4 The Owner shall not be permitted to destroy or cause the destruction or removal of any native plants (including trees, shrubs, grasses) or destroy any other potential habitat for native fauna from the land subject to this Covenant.
- 2.5 The Owner shall not sow or plant trees, grasses or other plants in the land subject to this Covenant other than local indigenous flora.
- 2.6 The Owner shall not remove rocks, termite mounds and other features of the landscape that provide habitat for native fauna.

Native fauna

- 2.7 The Owner shall not undertake or permit to be undertaken any shooting, trapping, baiting or removal of native fauna in the land subject to this Covenant.

Control of exotic flora and exotic fauna

- 2.8 The Owner:
- a. shall not introduce into the land subject to this Covenant any exotic flora or exotic fauna;
 - b. shall control, and where possible remove all exotic flora (unless it is providing habitat for native species) and exotic fauna from the land subject to this Covenant; and
 - c. shall take reasonable measures as may be necessary to prevent exotic flora and exotic fauna spreading from adjacent lands into the land subject to this Covenant.

Fertiliser, pesticides, herbicides and poisonous baits

- 2.9 The Owner shall not use or permit the use or application of fertiliser in the land subject to this Covenant.
- 2.10 The Owner shall not use or permit the use or application of pesticides, herbicides and or poisonous baits in the land subject to this Covenant.

Fire management

- 2.11 The Owner shall take practical steps to prevent the occurrence of bush fires in, and to minimise the danger of the spread of bush fires in or from the land subject to this Covenant. No Asset Protection Zones, or portions thereof, shall be placed in the area subject to this covenant.
- 2.12 Except in the circumstances specified in Clause 2.13, the Owner shall not light a fire, or cause a fire to be lit in the land subject to this Covenant.
- 2.13 The Owner is permitted to light a fire or cause a fire to be lit in the land subject to this Covenant only in the following circumstances:
- a. where the lighting of the fire is a necessary component of bush fire hazard reduction work carried out in accordance with any notice served on the Owner under the *Rural Fires Act 1997* or any other applicable legislation;

- b. where life or property is in immediate threat by bush fire and the lighting of the fire is reasonably necessary to protect life or property.

Firewood

- 2.14 The Owner shall not collect or permit the collection of green wood, standing wood and or fallen hollow timber from the land subject to this Covenant for firewood or any other purpose.

Vehicles

- 2.15 The Owner shall not permit the recreational use of trail bikes, four-wheel drive vehicles or any other vehicle off-track within the land subject to this Covenant.

Removal of inorganic or biological material

- 2.16 The Owner shall prevent by all reasonable means the removal of any biological or inorganic component of the land subject to this Covenant other than exotic flora and exotic fauna, except in the circumstances of scientific research, education and monitoring.

Monitoring of land by Owner

- 2.17 The Owner shall inform the Council as soon as practicable after becoming aware of the deterioration of any of the natural values of the land subject to this Covenant, or of any threat to these values of which the Owner is aware.

Change of Ownership

- 2.18 The Owner shall notify the Council of any change of ownership or control of the land subject to this Covenant.

3. Extent of prohibitions and restrictions

- 3.1 None of the prohibitions or restrictions specified in this Covenant shall apply to the actions necessary for the proper management of the land subject to this Covenant as a protected environment for local indigenous flora and local indigenous fauna.

4. Use of land by servants, agents, lessees or licensees

The Owner shall incorporate the terms of this Covenant in any lease or licence issued over the land subject to this Covenant, and at all times ensure that any servant, agent, lessee, or licensee occupying the land subject to this Covenant shall be aware of the relevant provisions of this Covenant.

5. Right to inspect

The Council and its servants and agents may at all times upon first giving reasonable notice to the Owner, their agent, lessee or licensee, enter upon the land subject to this Covenant to ensure due compliance with this Covenant.

6. Commencement

This Covenant shall have effect from the day of execution.

2.2 Who Cares About The Environment in 2009?

Reporting Officer

Manager Environmental Planning

Attachments

Nil

Purpose

To present to Council the key findings of the latest "*Who Cares About the Environment*" research conducted by the NSW Department of Environment, Climate Change and Water (DECCW).

History

The "*Who Cares About the Environment?*" series of social research has been conducted by the NSW Department of Environment, Climate Change and Water (DECCW) triennially since 1994. It measures changes in the environmental knowledge, attitudes and behaviours of the people of NSW. This report presents some of the key findings of the Department's research that are most relevant to Council and the local community.

Report

The DECCW have released the 2009 edition of the "*Who Cares About the Environment*" report. The report is a source of useful information for Council, as it provides a comprehensive analysis of the NSW community's environmental knowledge, attitudes and behaviours. The full report and a summary can be found on the DECCW website at:

<http://www.environment.nsw.gov.au/community/whocares.htm>

Survey Method

As with previous *Who Cares About the Environment?* surveys, the 2009 survey template was developed in consultation with a range of stakeholders. The quantitative research phase consisted of a telephone survey conducted with approximately 2,000 NSW residents aged 15 years and over in June-July 2009. The survey covered a geographically stratified, random sample of people residing in NSW.

The questionnaire, which consisted of 32 questions (8 of which were demographic related), addressed three key areas of enquiry:

1. Attitudes towards environmental issues;
 2. Knowledge about environmental issues; and
 3. Behaviours regarding environmental issues.
-

In order to maximise the insights gained from the research, three (3) forms of analysis were applied to the data:

1. Across time (2009 compared to previous years);
2. In terms of demographic differences (e.g. males compared to females, sub-groups compared to the average); and
3. Segmentation analysis – Respondents were clustered into groups (segments) based on their engagement in environmental behaviours.

Survey Results

The report illustrates that the environment is a key topic of concern for people in general, throughout the State. There has been an increase in the level of knowledge of environmental issues, and there has also been an increase in environmentally friendly behaviour. However, there are still significant numbers of people with a low understanding of environmental issues, many whom are not undertaking environmentally friendly activities. The research describes environmental activities as including activities such as using green bags, reducing water and electricity usage, preventing pollution and undertaking composting.

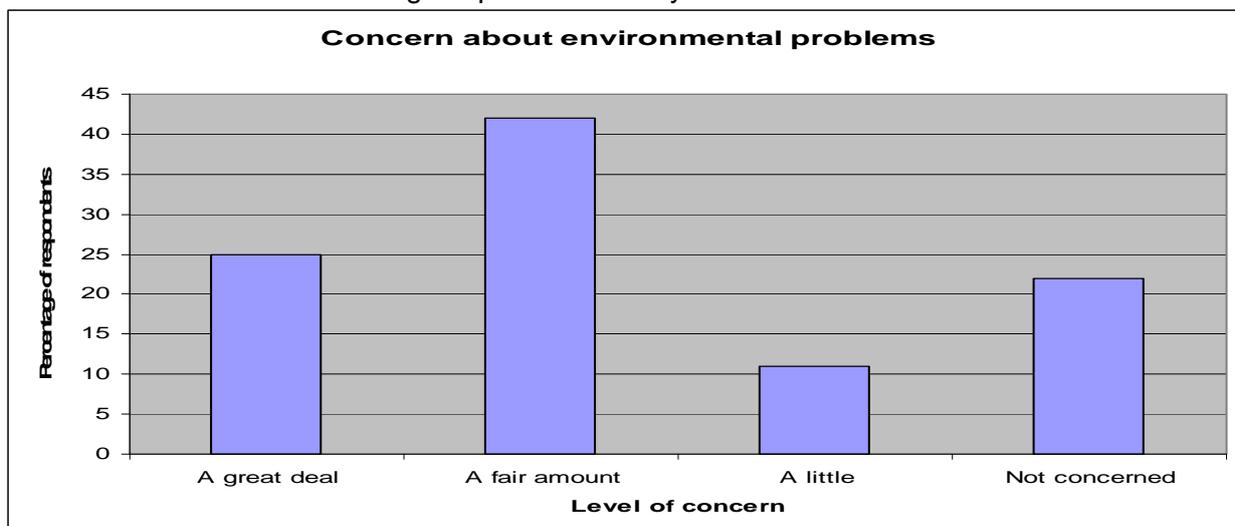
The Most Important Issues in NSW Today

Survey respondents were asked what they considered to be the two (2) most important issues at present in NSW. The top responses included the health system (50%), education (23%), public transport (22%), and roads and traffic (15%). These are similar to the results of previous surveys.

The environment and various environmental issues (such as water supply, waste management and pollution) when totalled together were nominated by a total of 11% of respondents as the issue of most concern. In this regard, the environment was identified as the fifth most important issue area. As in previous years, more people nominated specific environmental issues instead of the blanket term 'the environment'.

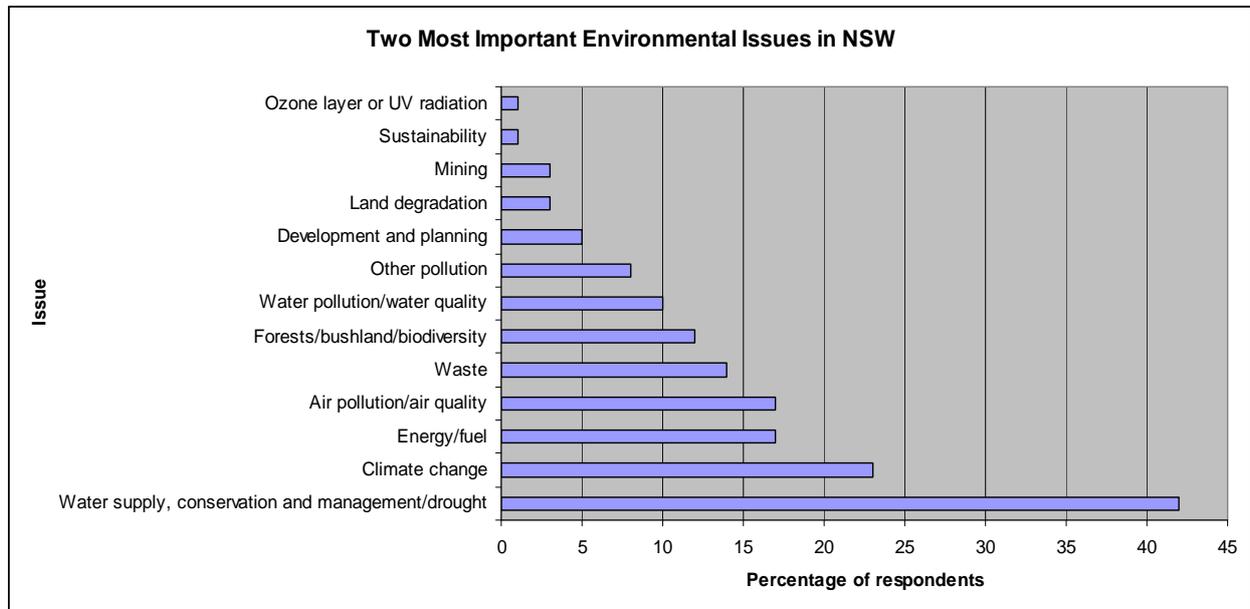
Concern about Environmental Problems

Participants were asked if they were concerned about environmental problems, and if so to what extent. Approximately 78% of the respondents said that they were concerned, with 25% saying they were concerned a great deal, 42% a fair amount, and 11% saying they were concerned a little. This is similar to the findings of previous surveys.



The Most Important Environmental Issues in NSW Today

Survey respondents were asked what they thought were the two most important environmental issues in NSW today. Water issues were again considered to be the most important issues, with 42% of people nominating water supply and conservation. Climate change attracted 23%, energy and fuel issues 17%, and air pollution and air quality 17%. The significant change was in climate change, which has seen an increase of 10% since 2006.



Prompts/Reasons for Participating in Pro-Environmental Activities

Saving money was the reason most frequently given for taking up four (4) of the ten (10) most commonly undertaken environmental behaviours – reducing fuel use (42%), reducing energy consumption (38%), reducing the amount of food the household "throws out" (30%), and buying fewer unneeded items (31%).

Education campaigns and other media programs and reporting were the second largest influence on respondents participating in pro-environmental activities. Approximately 29% of people nominated avoiding heavily packaged products as a result of increased environmental knowledge, and 27% avoid the use of plastic bags to carry shopping for the same reason.

Conclusion

The NSW "Who Cares About the Environment in 2009?" social research provides Council with a base of information on people's relationship with the environment. By better understanding residents, and what motivates, encourages and inhibits their pro-environmental behaviours, Council can focus with more effectiveness on specific audiences and behaviours. The study has also shown that environmental education plays a significant role in encouraging and promoting local residents to undertake more sustainable practices at home.

In this regard, the implementation of Council's recently adopted environmental education strategy will assist in the development of an increased understanding of environmental issues amongst Campbelltown residents, which in turn should result in the adoption of more environmentally sustainable behaviours.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Oates/Rowell)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 4 May 2010 (Matheson/Rowell)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 71

That the Officer's Recommendation be adopted.

2.3 Upper Georges River Urban Sustainability Program - Revised Scope of On-ground Works

Reporting Officer

Manager Environmental Planning

Attachments

Planning and Environment Committee Report - 2 June 2009

Purpose

To present to Council for endorsement a revised scope of on-ground works proposed as part of the Upper Georges River Urban Sustainability project – "Getting it Started Planting Seeds 4 a Sustainable Georges River" (UGR USP).

History

In May 2006, Campbelltown City Council on behalf of its project partner Liverpool Council, and in association with the Georges River Combined Councils Committee (GRCCC) and Wollondilly Council secured funding of \$2 million from the NSW Environmental Trust (the Trust). The funding, for a three year period, was for the development of a Strategic Environmental Management Plan (SEMP) focused on the rehabilitation of the Upper Georges River and development and implementation of a complementary scope of works.

At its meeting on 9 June 2009, Council considered a report on the proposed on ground works program for the UGR USP. The proposed works were as follows:

- 1 Macquarie Fields;
- 2 Water-wise garden;
- 3 Three Creeks Action Plan;
- 4 Keith Longhurst Reserve (The Basin);
- 5 Ingleburn Reserve;
- 6 Simmos Beach;
- 7 Milton Park;
- 8 Woolwash; and
- 9 Glenfield weed removal, bank stabilisation and fencing.

The budget for the works totalled \$645,000.

A copy of the report is attached for information. Council subsequently endorsed the program of works.

Report

Since the endorsement of these projects, Council staff have undertaken comprehensive scoping work and preliminary design investigations. These inspections have highlighted a number of issues with some of the sites and potential cost savings for other sites. As such, an amended on-ground works schedule has been proposed. The revised scope of works identifies significant cost savings on some projects and three (3) new projects have now been identified worthy of consideration for funding under the UGRUSP. These projects are based on feedback from community and stakeholder consultation workshops that have been undertaken. In particular, residents have indicated that they wanted improved access to the River and to reconnect with their memories of experiencing the river and its surrounding natural environment.

Below is a description of the proposed new scope of works.

1 Victoria Road – Macquarie Fields \$150,000 (Previous budget \$400,000)

The works will consist of modification of the existing storm water channel to slow flows and reduce bank erosion. The reshaping of the storm water channel will be accompanied by bank protection with rock and low scale revegetation to retain sight lines and ensure safety requirements are met.

The scope and intent of this project has not changed, however Council will now undertake both the design and construction of the project (rather than pursuing a design and contract tender process) saving considerable funds which can be re-allocated to other projects.

2 Marsden Park Waterwise Garden \$100,000 (Previous budget \$50,000)

The Waterwise Garden area will be in the vicinity of 100 square metres and will be subject to a final detail landscape design. The education component will be undertaken through signage that provides an explanation of water processes in the landscape and identification of vegetation with differing water requirements. This project will be supported by information that will be available on Council's web site on the specific plantings, maintenance and water requirements. Information will also be available on designing home gardens to minimise water usage, retain rainfall on site and on the selection of plants for home gardens.

The scope and intent of this project has not changed. Discussion with Council's City Works Division however highlighted a need to direct further funding toward this project to achieve a more effective outcome. The design of the garden will be based on designs prepared by final year University of NSW Landscape Architecture students. Council had sought to develop this partnership with the University as a way of gaining access to a variety of design concepts for the garden. This partnership also has the benefit of enhancing public awareness (at a metropolitan scale) of a key open space area in Campbelltown.

The students have recently presented the initial concept designs to Council and they are currently in course of preparing documentation drawings and will submit these in early June.

**3 Water Quality Monitoring Program
\$5,000 + \$45,000 (Previous budget \$60,000 as part of 3 Creeks Strategy)**

There had always been intent to install water quality monitoring devices along the Georges River; however this had not been addressed as part of the on-ground works schedule. This project proposes to allocate funds from both the on-ground (\$5,000) and the non on-ground (\$45,000) budgets to install three (3) automated water quality monitoring devices along the River.

It is currently proposed to install these devices at The Woolwash (Airds), Freres Crossing (Kentlyn) and Cambridge Avenue (Glenfield). These sites have been selected on a strategic basis due to their proximity to creek inputs to the River. This program will assist in furthering Council's understanding of pollution sources within the River and will complement the GRCCC's River Health Monitoring Program.

**4 Milton Park
\$15,000 (Unchanged)**

This project involves the installation of approximately 40 x Treated Pine posts to delineate a "No Mow" zone to allow for natural regeneration of the riparian vegetation (comprised of River Flat Eucalyptus forest which is listed as an Endangered Ecological Community under the Threaten Species Conservation Act 1995) and some bush regeneration works along Redfern Creek.

**5 The Woolwash – Airds
\$15,000 (Unchanged)**

This project involves undertaking minor earth works to a fire trail which runs between the suburb of Airds and the Georges River, to reduce overland flow velocities and hence minimise the amount of erosion and sediment that is entering the Georges River

**6 101 Steps
\$150,000 (New project)**

The aim of the project is to create a new recreation area incorporating walking tracks viewing platforms and recreational facilities. The area would be designed to encourage people to access and enjoy the Georges River within a natural environment.

The project would involve the restoration of a sandstone track, the creation of a number of viewing platforms and the installation of picnic facilities such as BBQs seats and tables. Educational signage will be incorporated into the viewing platforms demonstrating the ecological and historical significance of the area. Importantly this site provides the opportunity to create a viewing platform which would allow for disabled access. There would also be a need to install fencing and construct a designated parking area along Duncan Street, Minto Heights.

**7 Freres Crossing
\$115,000 (New project)**

The aim of the project is to construct a walking track from the existing car park area to the beach. The track would be constructed along the alignment of the previously known track route and incorporate several viewing platforms and educational signage along the route.

The project would also involve the construction of a lookout/viewing platform at the start of the track and some seating in a designated meeting area. There would also be a need to install fencing from the entrance gate to the car park to prevent unauthorised access to the surrounding bushland.

8 Bunbury – Curran Sub Catchment Masterplan \$95,000 (New project)

This project acknowledges the critical role that the Bunbury Curran sub catchment plays in relation to the Georges River. Anecdotal evidence suggests that this tributary is a major source of pollution to the River. The project concept is based on the Masterplan being development for sub catchment. This project will review the issues currently facing the Bunbury Curran System and prioritise actions and identify funding mechanisms to undertake this work.

Staff have sought to ensure that the works budget has not increased despite delivering significantly improved on-ground outcomes. As such, the new budget is \$645,000 (as previously stated) plus \$45,000 from the non on-ground works budget for water monitoring devices.

The ability of Council to deliver the improved on-ground works with no additional cost has been critical to Council receiving the support of both the Steering Committee and the Environmental Trust.

Deleted Projects

1. Simmo's Beach \$10,000

Metropolitan Green Space funding is now available for this project.

2. Ingleburn Reserve \$5,000

Council will undertake the proposed works as part of routine maintenance

3. Basin Reserve \$10,000

Site inspection has noted that due to recent fire activity in the Reserve, natural regeneration is underway and there is no need for further works at this point in time.

4. Belmont Street Look Out \$75,000

Design investigation has revealed that the site would require considerable funds to be spent to achieve an effective project outcome. Safety issues are of a major concern at this location due to the slope of the land and limited access opportunities. The opportunity for a northern viewing area could be investigated as part of the design consideration of any future Cambridge Avenue Bridge proposal.

Discussion

Subsequent to a detailed design investigation and a series of on-site inspections of the proposed work sites in conjunction with senior Council engineering staff, the original scope of project works has been revised to better meet the aims and objectives of the project and to serve the desires of the community in a more cost effective manner.

The revised scope of works provides for the inclusion of a number of new projects that will ensure an on-going and positive legacy from this program.

Conclusion

The above projects cover a wide geographic "spread" across the Campbelltown Local Government Area and provide for a range of experiences for the public while still improving quality of the Georges River through appropriate intervention, where necessary. The projects also offer a series of opportunities to educate the public on the Georges River.

Council's endorsement of the revised on-ground works schedule is sought prior to moving to the next stage of project. Once endorsed Council staff will commence immediately with the implementation of the revised on-ground works schedule.

Officer's Recommendation

1. The Council endorse the revised on-ground works schedule, as detailed in this report.
2. That the UGRUSP Project Steering Committee be formally advised of Council's decision in regard to this matter.

Committee's Recommendation: (Bourke/Kolkman)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 4 May 2010 (Matheson/Rowell)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 71

That the Officer's Recommendation be adopted.

ATTACHMENT 1



Planning and Environment Committee Meeting 2/6/2009

TITLE Upper Georges River Urban Sustainability Project Funding Allocation

Reporting Officer

Manager Environmental Planning

Attachments

Map of Macquarie Fields Stormwater Renaturalisation project location (distributed under separate cover).

Purpose

The purpose of this report is to: update Council on the funding allocation process for specific projects (on-ground works) as part of the Upper Georges River Urban Sustainability Project (UGRUSP); inform Council of the outcomes of a recent evaluation meeting held on 12 May 2009 at Council by the UGRUSP Council Partners; and to seek Council's endorsement of the proposed projects for the Campbelltown Local Government Area (LGA).

History

Councillors would be aware through previous reports that the Upper Georges River Urban Sustainability Project includes a budget for onground works and that the project partners are required to meet to determine expenditure of these grant funds. The project list (as detailed in this report) has the support of the Directors of City Works and Planning and Environment with the projects being delivered as a partnership between both Divisions.

Report

A number of projects were examined by the Selection Committee composed of senior representatives from each of the three project partner Councils (Campbelltown, Liverpool and Wollondilly) in a process facilitated by an independent facilitator. In attendance was a representative of the NSW Environment Trust to confirm that the proposed projects achieved the Trust's objectives.

The projects had been identified from a variety of sources including Council's strategic and planning documents including Plans of Management and Weed Strategies. In addition, site visits and extensive consultation with the community and other stakeholders was undertaken as previously reported. Presentations on the proposed projects were given by each of the Council representatives with opportunities for questions and further discussion on the merit of each of the specific proposals by the NSW Environment Trust representative. Each project was examined against the endorsed project assessment criteria based on the project objectives approved by the NSW Environment Trust as part of the Upper Georges River Urban Sustainability Business Plan.

The projects proposed for Campbelltown total \$645,000 in value and are listed in the following table and a brief description follows.

	Project	Funds
1	Macquarie Fields	\$400,000
2	Water-wise garden	\$50,000
3	Three Creeks Action Plan	\$60,000
Creek and Vegetation works		
4	Keith Longhurst Reserve (The Basin)	\$10,000
5	Ingleburn Reserve	\$5,000
6	Simmos Beach	\$15,000
7	Milton Park	\$15,000
8	Woolwash	\$15,000
9	Glenfield weed removal, bank stabilisation and fencing	\$75,000

1. Macquarie Fields Stormwater Renaturalisation (\$400,000)

Council has previously acknowledged the need to improve stormwater management within the Bow Bowling Bunbury Curran flood plain and has applied for substantial grant funds to improve the environmental performance of the Bow Bowling Bunbury Curran (BBBC) Creek system eg. Caring for our Country Grant. This project will improve stormwater water quality prior to discharge to the main BBBC channel through creek renaturalisation and improved landscaping. The project location is provided in Attachment 1. The works will consist of modification of the existing stormwater channel to slow flows and reduce bank erosion. The reshaping of the stormwater channel will be accompanied by bank protection with rock and low scale revegetation to retain sight lines and ensure safety requirements are met.

2. Water-Wise Garden (\$50,000)

An educational waterwise garden is proposed for Park Central. This Project will be included in the preparation of the Plan of Management for Marsden Park (Park Central) and provide an attractive and educational project that reduces the long term maintenance of Park Central. The Waterwise Garden area will be in the vicinity of 100 square metres and will be subject to a final detail landscape design. The education component will be undertaken through signage that provides an explanation of water processes in the landscape and identification of vegetation with differing water requirements. This project will be supported by information that will be available on Council's web site on the specific plantings, maintenance and water requirements. Information will also be available on designing home gardens to minimise water usage, retain rainfall on site and on the selection of plants for home gardens.

3. Three Creeks Action Plan and Works (\$60,000)

Creeks within Campbelltown have becomes highly degraded and in many instances are difficult to maintain. Three creeks will be identified in the development of an Action Plan and

works will be subsequently undertaken guided by this Plan. Works will include the establishment of a 'no mow zone' to allow vegetation regeneration, planting and bank stabilisation as identified in the Action Plan.

4 - 8. Creek and vegetation works (\$60,000)

Community consultation previously identified concerns in relation to the degraded state of a number of small creek systems within Campbelltown Local Government Area. Soil stabilisation through stormwater water redirection on access roads and vegetation improvements are proposed at Keith Longhurst Reserve (The Basin), Ingleburn Reserve, Simmos Beach, Milton Park and the Woolwash.

9. Glenfield weed removal, bank stabilisation and fencing (\$75,000)

During the extensive community consultation phase associated with the UGRUSP, weed management and physical access to the river system ranked as high priorities for the community. The terminating road intersection with the river at Belmont Street Glenfield is a location to undertake weed removal, bank stabilisation, fencing and retention of existing river views.

Projects agreed to for the other partner Councils are as follows. The projects supported for Liverpool total \$237,000 in value and are shown in the following table.

Project	Funds
Mosaic art on Newbridge Road Bridge	37,000
Weed and vegetation management at Helles Park	30,000
Casula Parklands vegetation and weed management	170,000

The projects supported for Wollondilly total \$160,000 and are shown in the following table.

Project	Funds
Nursery support for Wollondilly Nursery to increase supply of UGR indigenous plants with local provenance	10,000
Water Quality monitoring kit for Appin	5,000
Waterwise garden at Appin	50,000
Kennedy Creek vegetation and weed management	45,000
Limit access through fencing at Appin	50,000

The above projects represent a diversity of size, project type and locations representative of the diversity of the catchment. Endorsement for these projects by the Councils, as proposed

by the Selection Committee, prior to final determination of the grant funds is now being sought.

Once support is secured from each of the partner Councils the UGRUSP Project Steering Committee will be briefed on the final outcome and the NSW Environment Trust will be formally advised.

Officer's Recommendation

1. That Council endorse the Campbelltown projects nominated by the Upper Georges River Project partner councils as included in this report.
2. That the UGRUSP Project Steering Committee and NSW Environment Trust be formally advised of Council's decision in regard to this matter.

2.4 NSW Department of Planning Metropolitan Strategy Review - Sydney Towards 2036 - Discussion Paper

Reporting Officer

Manager Environmental Planning

Attachments

1. Discussion Paper - "Metropolitan Strategy Review – Sydney Towards 2036 (Distributed under separate cover).
2. Draft Submission to the NSW Department of Planning.

Purpose

1. To advise Council of the release of the discussion paper "Metropolitan Strategy Review – Sydney Towards 2036"; and
2. To seek Council's endorsement of a draft submission that has been prepared by Council staff in response to the discussion paper.

History

In 2005, the NSW Government's Metropolitan Strategy "City of Cities – A Plan for Sydney's Future" was released. The Metropolitan Strategy is a broad strategic planning framework to manage and promote Sydney's growth. It outlines a vision and direction for Sydney in the period until 2031. The five (5) main aims of the Metropolitan Strategy, focussed on achieving a more sustainable city are as follows:

1. Enhance Liveability;
2. Strengthen Economic Competitiveness;
3. Ensure Fairness;
4. Protect the Environment; and
5. Improve Governance.

The five main aims are supported through seven (7) key strategies:

1. Economy and Employment;
2. Centres and Corridors;
3. Housing;
4. Transport;
5. Environment and Resources;
6. Parks and Public Spaces; and
7. Implementation and Governance.

When the Metropolitan Strategy was released in 2005, the NSW Department of Planning committed to undertaking a review of the Strategy every five (5) years. A Discussion Paper on the first review has recently been released, and is the subject of this report.

Report

Introduction

On 17 March 2010, the NSW Department of Planning released a Discussion Paper “Metropolitan Strategy Review – Sydney Towards 2036”.

When the Metropolitan Strategy “City of Cities – A Plan for Sydney’s Future” was released in 2005, it was clearly indicated that the Metropolitan Strategy would be reviewed every five years to assess its success, areas where improvement is needed, to realign the Strategy with revised population, housing and employment projections, and to address current challenges (such as for example the global financial crisis, housing affordability and climate change).

The Discussion Paper is the first step in reviewing the Metropolitan Strategy. It invites public comment as part of the review process, and raises the following matters:

- The key concepts of the Metropolitan Strategy;
- The main changes over the last five (5) years and the challenges for the future planning of Sydney;
- The successful aspects of the Metropolitan Strategy over the last five (5) years;
- Areas of the Metropolitan Strategy that require improvement; and
- Key directions for the future (for the basis of discussion).

The Discussion Paper states that the Metropolitan Strategy Review will be integrated with the Metropolitan Transport Plan (which includes a ten (10) year funding guarantee for transport projects) to form the key strategic planning documents that will guide the future of Sydney to 2036. The intention is for the NSW State Government to adopt an integrated transport and land use plan that is fully funded until 2020, with a strategic plan until 2036.

Main focus of the Metropolitan Strategy Review

The NSW Department of Planning has advised that Sydney Towards 2036 will focus on ways to accommodate Sydney’s forecast population of 6 million by 2036 by providing 760,000 new jobs and 770,000 more homes than in 2006, while creating a comfortable and accessible place to live and work that is attractive as a global city.

The growth will be focussed around centres, particularly regional cities and major centres, with an emphasis on improving transport and infrastructure. Other focus areas will be:

- Employment and economic development;
 - Centres and urban renewal;
 - Housing and land release;
 - Transport networks fully integrated with land uses;
 - Climate change, adaptation and mitigation;
 - Environment and resources;
 - Infrastructure; and
 - Governance and implementation.
-

Proposed Directions

The Discussion Paper outlines eleven (11) proposed directions for the review of the Metropolitan Strategy. These proposed directions are detailed as follows:

1. Planning for a Growing Population

'Implement sustainable planning for a growing and ageing population'.

Key facts:

- 6 million people will be living in Sydney by 2036 – higher than previously expected;
- Nearly 3 million people will be living in Western Sydney;
- The South West Subregion is expected to experience the highest level of growth (from 410,500 persons in 2006 to 874,800 persons in 2036); and,
- The population is ageing and planning will need to cater for this

Comment:

The South West Subregion is expected to be the highest area of future population growth in Sydney, and therefore the area should be given priority and the South West Subregion Draft Subregional Strategy should be finalised by the Department of Planning as soon as possible. Detailed strategic planning needs to be done at the Subregional level in consultation with the relevant local councils to optimise the opportunity for good planning outcomes.

The South West Subregion needs to be made a priority for strategic planning, infrastructure provision and funding. Better accessibility to employment and facilities/jobs and transport is essential. Further population growth in the Subregion should not be supported unless future development is preceded by the provision of the appropriate infrastructure and transport to support the proposed growth. Connectivity is a primary concern that must feature prominently in planning and budget allocations.

2. Making Sydney Climate Change Ready

'Address the vulnerability of Sydney to a changing climate and a carbon constrained future'.

Key facts:

- Greater emphasis needs to be placed on the role of land use planning in managing Sydney's greenhouse gas emissions;
 - Provide jobs closer to home, reduce travel times and improve transport connections;
 - Provide street trees and green spaces to reduce high summer temperatures;
 - Adapt building and infrastructure design, and land use planning to address changing climatic conditions;
 - Increased energy prices will be a challenge;
 - Integrate land use and transport planning, build around centres, cluster jobs and activities to reduce car dependence; and
 - Identify enough employment lands.
-

Comment:

The NSW Government needs to commit to better public transport and road connectivity especially in areas where the most growth is anticipated, such as South West Sydney. Planning to address climate change will only occur if the correct transport and essential infrastructure is in place to reduce car dependence and travel times and to create vibrant and safe mixed use centres. The current practice of releasing land for new residential development in locations remote from existing centres and without adequate public transport connections needs to be reviewed as a matter of urgency.

3. Integrating Land Use with Transport

'Get best value from investment in transport infrastructure with integrated land use planning'.

Key facts:

- A Metropolitan Transport Plan has recently been launched with funding guarantees for many projects including the South West Rail Link (Glenfield to Leppington plus stabling facilities), and widening of the M5;
- Focus new development around centres (both existing and new) with a target of at least 80% of new housing being located in centres with good access to public transport;
- Strengthen Parramatta as a second CBD for Sydney;
- Extend bus and rail networks;
- Improve integration of public transport;
- Improve roads;
- Improve walking and cycling networks;
- Ensure sufficient port capacity;
- Improve efficiency of freight movements;
- Improve links between areas; and
- Identify a site for a second Sydney airport (through a separate process).

Comment:

The NSW Government needs to make a firm commitment (with funding assured) for all stages of the South West Rail Link, upgrades to Narellan Road, the extension of Badgally Road and other essential road, rail and other public transport infrastructure to support the high levels of growth expected in South West Sydney. The connection of the South West Growth Centre to Campbelltown-Macarthur CBD is essential.

A clear decision also needs to be made regarding the future of the proposed Georges River Parkway (currently a road reservation) that could provide another important road link and an alternative route to the M5 for at least part of the journey through the Campbelltown Local Government Area. The Parkway will be an essential piece of transport infrastructure servicing any future urban development in Macarthur South.

Transport is the key to making Sydney as a whole, and each region and subregion within Sydney, work with a larger population. The existing public transport network and road infrastructure are already beyond capacity during peak periods and if the population increases as predicted, the existing systems will not cope. Sydney is sadly falling behind other advanced cities of the world and Sydney's standard of living has suffered as a consequence, falling from the 7th ranked most liveable city in the world in 2007 to 13th in 2009 (Monocle 2009) on the world's most liveable cities index.

4. More Jobs in the Sydney Region

'Boost job growth by providing a good supply of land for employment'.

Key facts:

- 760,000 more jobs needed between 2006 and 2036;
- Increase the number of jobs closer to home;
- Over the last five years the number of additional jobs in Campbelltown–Macarthur grew by 37% from 10,300 to 14,000 (way above the level of job growth in the 'declared' regional centres such as Liverpool and Penrith, over the same period);
- There have been substantial increases in the supply of employment lands in the last two years (but none specifically in Campbelltown);
- The Review will look at future employment patterns and transport needs in South West and North West Sydney to increase job diversity, improve employment self containment, attract a mix of residents and reduce car reliance – including revitalisation the Campbelltown-Macarthur Major Centre;
- Plan for business space and major new employment lands;
- Indications are that the planning approvals process will be further streamlined; and
- The Review will consider options for encouraging employment growth, especially in Western Sydney – possibly land use planning, educational and infrastructure initiatives.

Comment:

It is positive to note that the supply of local jobs has increased in the last five (5) years. However, little detail is provided about the number of additional jobs that will be required to meet future demand and how these job opportunities will be created.

The growth of jobs in the Campbelltown–Macarthur Business Centre in the last five (5) years is not surprising and is more evidence that Campbelltown should be declared a Regional City under the revised Metropolitan Strategy. Campbelltown-Macarthur generated more new jobs in the period 2001-2006 compared to the already nominated regional city centres at Penrith and Liverpool.

The Discussion Paper states that some centres, including Campbelltown-Macarthur will be revitalised, however no details are provided on how or when this will occur, whether this will be done in consultation with Council, and whether any funding will be available to assist in the proposed revitalisation. Critically, there is no clear link between the proposed revitalisation of the centre and improving transport and other essential infrastructure to ensure quick and convenient access from the surrounding sub-regional population, which will be critical to continue future jobs growth and centre viability.

While the Discussion Paper does not specifically mention where additional employment lands will be identified, it has been suggested that additional land in South West Sydney may be identified to meet future employment needs. It is critical that the relevant local councils are not only consulted, but are included in the decision making process regarding the location of future employment lands, and Council should undertake pro-active liaison with the Department on this critical issue.

5. Growing Sydney's Value

'Increase diversity of employment to strengthen local economies and provide a wider range of jobs closer to home'.

Key facts:

- Increase Sydney's economic resilience through a range of measures to make Sydney more liveable, vibrant and attractive for investment;
- Develop a strong and robust diverse economic base to improve resilience in the economy and job market;
- Allow businesses to cluster for the sake of efficiency;
- Ensure suitable space is available for new businesses in centres and employment areas, linked to good freight and public transport connections;
- Provide space for small businesses and creative industries;
- Encourage education and training links with research and development in industries;
- Create a diverse economy with both small and large businesses serving local, national and international clients;
- Enhance Sydney's role as a Global City – this is a key determinant of the success of the entire NSW economy;
- Improve the way the Sydney functions, through providing jobs in the right locations and providing the right transport services and connections; and
- Promote tourism and conventions.

Comment:

Campbelltown's economy has the potential to be significantly boosted by giving the Campbelltown-Macarthur Business Centre Regional City status in the revised Metropolitan Strategy. Once an area is identified as a Regional City, access to additional funding streams and assistance from the NSW Government for future planning and development would be enhanced. The Regional City title may also provide added kudos to the Campbelltown LGA and attract further job creating enterprises to the area. However, current transport and infrastructure problems will also need to be resolved in order for businesses to take full advantage of the opportunities and positive attributes of the area. Accessibility is a key precursor to centre based economic and employment development. Council should continue to advocate for declared Regional City Status for Campbelltown-Macarthur Business Centre.

6. Strengthening a City of Cities

'Improve the capacity of Sydney to accommodate the majority of its housing within existing urban areas'.

Key facts:

- Focus growth of housing, jobs, and services around strategic centres;
- Sydney will be centred on five Regional Cities supported by a series of Major Centres (including Campbelltown – Macarthur), which will form a network of activity;
- Reduce the need for people to travel long distances and reduce congestion and commuting time;
- Locate more jobs in mixed use centres;
- Opportunities for new centres to develop and grow will also be considered;
- Encourage high quality urban design, safety and amenity in centres; and
- Encourage opportunities for walking and cycling in centres.

Comment:

The Metropolitan Strategy Review provides an opportunity to transform the Campbelltown LGA, focussed on the Campbelltown-Macarthur Regional Centre, from a moderately successful outer suburban area into a sustainable, partially self-contained (in terms of employment, health, education, recreation and entertainment opportunities) Regional City, that services not only the needs of local residents but also those of the broader South West Subregion.

7. Meeting Changing Housing Needs

'Ensure a wider mix of housing types and costs across Sydney in response to an ageing population and changing housing preferences'.

Key facts:

- 770,000 additional dwellings will be required by 2036 (190,000 still required if the population did not grow – due to reduced household size);
 - Approximately 25,000 new dwellings will be required each year up to 2036;
 - 60% of all new dwellings will be in Western Sydney;
 - Need to cater for the trend towards smaller average household sizes;
 - Further research is being done to determine the types of housing that will be needed;
 - Housing targets in the 2005 Metropolitan Strategy will need to be updated in consultation with local councils;
 - Housing affordability is a significant issue; and
 - High quality housing needs to be provided in the right locations to reduce the environmental impacts of travel, increase affordability, reduce congestion, and improve quality of life.
-

Comment:

Campbelltown City Council is already committed to taking a large proportion of the growth that needs to be accommodated in South West Sydney, pursuant to the targets set in the 2005 Metropolitan Strategy. Council should seriously consider the implications of committing to providing any additional dwellings (to address the proposed increased dwelling target to be set by the Metropolitan Strategy Review) unless substantial transport and other critical infrastructure is provided first. Ensuring the funding and delivery of critical infrastructure, including in particular road and transport linkages is essential to the delivery of the integrated housing and employment targets.

8. Balancing Land Uses on the City Fringe

'Plan for new housing in greenfield areas, while protecting land for primary production, open space and conservation needs'.

Key facts:

- The Sydney Basin is an important location for food production, and policies are being developed for the ongoing viability of agricultural land given the pressure for urban development;
- The footprint of future urban growth needs to be contained to preserve agricultural land;
- The current Metropolitan Strategy limits new release areas with most future growth to be located in the South West and North West Growth Centres;
- Sydney's growth should continue to be contained in identified areas;
- Infrastructure provision needs to keep pace with housing growth; and
- The strategy aims to maintain rural activities and resource lands and to protect resource lands from incompatible and inappropriate uses.

Comment:

Containing the urban footprint of Sydney to ensure that rural and agricultural lands are protected, is supported. As part of the preparation of Council's new Comprehensive Local Environmental Plan for the Campbelltown LGA, work is being undertaken to determine an appropriate boundary for urban growth within the Campbelltown LGA to ensure that important rural, scenic and environmentally sensitive areas are protected from future urban development.

In addition, extensive and detailed strategic planning work is being undertaken to try and ensure that future development in the Campbelltown LGA is balanced to include a wide variety of uses, not just more residential development, and that important rural and scenic landscapes are retained.

Balancing land uses in the fringe areas of Sydney will only be successful if identification of any new areas for future urban growth is undertaken in partnership with the relevant local councils, and if the NSW Government does not override and undermine local planning controls by approving developments that would otherwise be prohibited or refused in areas where they are not considered appropriate, such as for example the Leaf's Gully Gas Fired Power Station.

9. Achieving Renewal

'Build communities through redevelopment'.

Key facts:

- Renewal of older areas can prevent continued outward growth and revitalise existing areas;
- New centres are being planned in the growth centres and possibly in other areas near public transport where capacity for further housing is identified;
- The goal is to locate 80% of new housing within walking catchments of centres with public transport, especially the Regional Cities and Major Centres, to create mixed-use centres;
- Encouraging and planning for mixed use development is essential for successful urban renewal;
- The Review will focus on achieving dwelling targets for existing areas along with appropriate services and on ensuring growth is attractive and centred around transport;
- The discussion paper states that the NSW Government's intends to invest in transport to connect Sydney's centres, stimulate local economies and facilitate renewal, however, there is no solid commitment made;
- The quality of building and urban design is important in successful renewal; and
- *Centre Design Guidelines* are currently being drafted.

Comment:

Focussing growth around centres that are close to existing transport and services is supported. However, the capacity of the existing transport and other infrastructure and services needs to be increased to cope with an increased population.

As previously stated, Campbelltown City Council should seriously consider the implications of committing to providing any additional dwellings over and above those to which it is already committed (to address the proposed increased dwelling target to be set by the Metropolitan Strategy Review) unless substantial transport and other critical infrastructure is provided first.

Council should consider any opportunities for funding or other assistance that may arise to assist in enhancing the Campbelltown-Macarthur CBD.

The positive experiences of urban renewal taking place at Minto, Macquarie Fields, Rosemeadow and in future at Airs demonstrates, Council's commitment to rejuvenating older developed areas to achieve a range of integrated social, economic and environmentally sustainable outcomes.

10. Implementation

'Implement a revised Metropolitan Strategy'.

Key facts:

- Commonwealth, State and Local Government to work together;
- Introduce an Urban Renewal Authority – the Sydney Metropolitan Development Authority to manage significant urban renewal;
- The Review will be based on the National Criteria for Capital City Strategic Planning systems (developed by COAG) and address the city performance criteria in Infrastructure Australia's *State of Australian Cities Report (2010)*;
- A range of measures will be introduced to: ensure best quality urban design; assist site amalgamation for redevelopment; and, coordinate decision making and infrastructure investment for rapid and orderly redevelopment;
- All major transport planning decisions to be approved by both the Minister for Planning and the Minister for Transport and Roads and must meet the objectives of the consolidated Metropolitan Plan and the State Plan;
- All major planning and land release decisions will also need the approval of both Ministers;
- Small scale urban renewal can be managed through a coordinated group of agencies and councils through the Department of Planning; and
- There is an implication that more changes may be made to the planning system to make the approval system more rapid.

Comment:

The introduction of a Metropolitan Development Authority (MDA) is of concern if not managed appropriately, as it could place further limits on Council's control of development and redevelopment within the Campbelltown LGA. The NSW Government has already overridden Council's powers in relation to several controversial developments within the LGA, despite local concerns.

Giving that the MDA will have the power to acquire and amalgamate land, it appears to have the potential to conflict with the detailed strategic planning that Council is currently undertaking to ensure that future development within the Campbelltown LGA respects the existing landscape, the environment and heritage values, and that growth is located within or close to existing centres. The potential for such an Authority to be granted powers to prevail over local planning provision is most concerning.

11. What Else?

'What should be the priority issues and areas for the next Metropolitan Strategy?'

Key facts:

- The Department of Planning is seeking feedback on priority issues and areas that should be considered as part of the Metropolitan Strategy Review.
-

Comment:

The following issues, which Council raised in its submission on the South West Subregion Draft Subregional Strategy (SW Strategy), are reiterated here as they are also valid matters for consideration in the review of the Metropolitan Strategy:

- South West Sydney needs to be made a priority for infrastructure provision as it will be accommodating the majority of the growth in population in the period from now until 2036.
 - The Metropolitan Strategy Review and the SW Strategy need to provide a clear commitment to the provision of infrastructure to cater for the future growth that is planned for the SW Region in the period up to 2036. It is extremely difficult to organise the release of land, and to justify increasing urban densities, without the necessary infrastructure to cater for the associated population increase. Both the Metropolitan Strategy Review and the SW Strategy need to clearly identify the regional infrastructure that will be required in the SW Region to 2036 and commit to the provision of this infrastructure. In particular, there needs to be a commitment to ensure that the South West Rail Link, the Spring Farm Parkway, and the Badgally Road extension will be constructed in a timely manner to complement the development of Edmondson Park, the Spring Farm and Menangle Park Urban Release Areas and the South West Growth Centre.
 - Council is concerned that without the provision of the required regional infrastructure, and particularly (all stages of) the South West Rail Link, the Spring Farm Parkway Road, and the Badgally Road extension in the short term, and other transport in the longer term, there will be difficulty in achieving the housing and employment targets that are set in the draft SW Strategy and the revised targets that are likely to be included in the Metropolitan Strategy Review.
 - The NSW Government has recently approved a Gas Fired Power Plant at Leaf's Gully. The approval of this infrastructure project, its impacts on the environment, and its impacts on potential future development in Gilead and Macarthur South should be addressed in both the Metropolitan Strategy Review and the SW Strategy.
 - Council has recently received a number of concept proposals for, and enquiries about the future development of, areas outside the current urban footprint of the Campbelltown LGA. These areas include the Scenic Hills, the Edge Scenic Protection Lands (land zoned for environmental protection purposes to the immediate west of the proposed Georges River Parkway Road Reservation) and Wedderburn. Council believes that the inclusion of clear statements within the revised Metropolitan Strategy and the SW Strategy about whether or not these areas could ever be considered for urban development, or whether they should remain non-urban, would be of great assistance in determining with certainty a future urban footprint for the Campbelltown LGA. The Scenic Hills in particular are of significant value to both Council and the local community and Council has resolved to protect the area from inappropriate development, including urban development.
 - The Discussion Paper does not address heritage (both environmental and cultural). The revised Metropolitan Strategy needs to clearly address how heritage and environmentally sensitive areas can be protected from the impacts of a growing population and the continuing urbanisation and densification that will be required to accommodate the expected population increase throughout the Metropolitan area and in South West Sydney.
 - Both the revised Metropolitan Strategy and the SW Strategy need to provide clear direction on how future employment targets can be met. It would be of great assistance to Council if these broader strategic planning strategies identified definite areas where additional employment should be targeted and approximate numbers of jobs that should be achieved in each of the targeted areas. This would greatly assist the effectiveness of local planning.
-

- There is concern about the need to provide additional industrial land and land for the creation of business parks within the SW Region. Council staff believe that it is imperative that the Metropolitan Strategy Review and the SW Strategy identifies sites that would be appropriate for future employment lands. This would prevent land speculation on inappropriate sites (such as land within the Scenic Hills) and create greater certainty for Council, land owners, investors and the community. This work must be done on a coordinated sub-regional basis.
- The findings of the Department of Planning's review of its surplus land holdings within the SW Region should be addressed in both the revised Metropolitan Strategy and the SW Strategy. Of particular concern to Council are the future of the Georges River Regional Open Space Corridor, the proposed Georges River Parkway Road Reservation, and the Special Purposes Corridor that traverses the Campbelltown LGA in an east-west direction between the suburbs of Ingleburn and Minto.
- As indicated above, Council is particularly concerned about the future of the proposed Georges River Parkway Road Reservation. Council believes that the retention of this future transport corridor is essential to provide for the future transport needs of a growing regional population, particularly in light of the limited public transport facilities in the area, and the fact that the South West will accommodate the most growth in the period from now until 2036. The longer term potential for Macarthur South as an opportunity to accommodate part of Sydney's future growth should not be ignored.
- The need for additional cemetery and crematorium facilities, to cater for the increasing population within the Metropolitan Region and particularly the SW Region, should be clearly addressed as part of the Metropolitan Strategy Review and in the SW Strategy. The identification of potential sites for these types of facilities would be of great benefit to Council. It would also be of assistance if the site selection criteria for the establishment of new cemeteries and crematoriums (being prepared by the NSW Government) could be finalised as soon as possible.
- All inconsistencies between the Metropolitan Strategy and the SW Strategy should be resolved before the revised Metropolitan Strategy and the SW Strategy are finalised.
- It is imperative that the revised Metropolitan Strategy, the subregional strategies and the Metropolitan Transport Plan are integrated and work together to ensure that future growth is balanced with the provision of essential transport and other infrastructure. It is considered that the NSW Government is making good progress on developing integrated land use and transport planning. What is missing sadly, is an assurance that the Government will deliver integrated land use and transport solutions on the ground.

Concluding Comments

The Metropolitan Strategy Review provides an opportunity to improve the strategic planning framework for the future growth and development of the Sydney Metropolitan Area, especially if it is integrated with the Metropolitan Transport Plan and the South West Subregion Draft Subregional Strategy. However, the NSW Government needs to commit to the provision of infrastructure and to meaningful consultation with local government if an effective strategic planning regime for Sydney's future is to be created and implemented.

The comments provided throughout this report on the Metropolitan Strategy Review have been collated into a draft submission which is provided at Attachment 2.

Officer's Recommendation

1. That Council note the information provided regarding the Metropolitan Strategy Review Sydney Towards 2036 - Discussion Paper.
2. That Council endorse the submission that has been prepared on the Metropolitan Strategy Review (shown as Attachment 2).
3. That Council's submission on the Metropolitan Strategy Review be forwarded to the NSW Department of Planning for consideration as part of the review process.

Committee's Recommendation: (Bourke/Kolkman)

1. That Council note the information provided regarding the Metropolitan Strategy Review Sydney Towards 2036 - Discussion Paper.
2. That Council endorse the submission that has been prepared on the Metropolitan Strategy Review (shown as Attachment 2) subject to the inclusion of the following amendments:
 - (i) Comment 11 dot point five being amended to read:

“Council has recently received a number of concept proposals for, and inquiries about the future development of, areas outside the current urban footprint of the Campbelltown LGA. These areas include the Scenic Hills, the Edge Scenic Protection Lands (lands zoned for environmental protection purposes to the immediate west of the proposed Georges River Parkway Road Reservation) and Wedderburn. Council believes that the inclusion of clear statements within the revised Metropolitan Strategy and the SW Strategy about whether or not these areas could ever be considered for urban development, or whether they should remain non-urban, would be of great assistance in determining with certainty a future urban footprint for the Campbelltown LGA. These environmentally and visually important areas are of significant value to both Council and the local community and, in terms of the Scenic Hills Council has recently resolved to protect the area from inappropriate development, including urban development. Council also respects and acknowledges the importance of the Georges River Regional Open Space Corridor and the Wedderburn Plateau, particularly in terms of environmental sensitivity and biodiversity value.”
 - (ii) That the submission include information presented at the briefing on Tuesday 20 April 2010 by Mr Hayward about Campbelltown being a region of the future and in particular being a place of destination.
3. That Council's submission on the Metropolitan Strategy Review be forwarded to the NSW Department of Planning for consideration as part of the review process.

CARRIED

Council Meeting 4 May 2010 (Matheson/Rowell)

That the Committee's Recommendation be adopted.

Council Resolution Minute Number 71

That the Committee's Recommendation be adopted.

ATTACHMENT 2

DRAFT

23 April 2010

Mr Sam Haddad
Director General
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Dear Mr Haddad

METROPOLITAN STRATEGY REVIEW – DRAFT SUBMISSION

Thankyou for inviting representatives from Campbelltown City Council to attend the Metropolitan Strategy Review briefing for Local Government in the Sydney West Region, and for the opportunity to lodge a written submission in relation to the review.

Council appreciates the Department of Planning providing it with an extension to submit a submission (from 30 April until 5 May) to allow the submission to be endorsed by the full Council prior the submission being lodged with the Department of Planning.

In this regard, please consider the following Council's following comments.

Comments on Proposed Directions in the Metropolitan Strategy Review

1. Planning for a Growing Population

The South West Subregion is expected to be the highest area of future population growth in Sydney, and therefore the area should be given priority and the South West Subregion Draft Subregional Strategy should be finalised by the Department of Planning as soon as possible. Detailed strategic planning needs to be done at the Subregional level in consultation with the relevant local councils to optimise the opportunity for good planning outcomes.

The South West Subregion needs to be made a priority for strategic planning, infrastructure provision and funding. Better transport is essential. Further population growth in the Subregion should not be supported unless future development is preceded by the provision of the appropriate infrastructure and transport to support the proposed growth.

2. Making Sydney Climate Change Ready

The NSW Government needs to commit to better public transport, especially in areas where the most growth is anticipated, such as South West Sydney. Planning to address climate change will only occur if the correct transport and essential infrastructure is in place to reduce car dependence and travel times and to create vibrant and safe mixed use centres. The current practice of releasing land for new residential development in locations remote from existing centres and without adequate public transport links needs to be reviewed as a matter of urgency.

3. Integrating Land Use with Transport

The NSW Government needs to make a firm commitment (with funding assured) for all stages of the South West Rail Link, the extension of Badgally Road and other essential transport infrastructure to support the high levels of growth expected in South West Sydney.

A clear decision also needs to be made regarding the future of the proposed Georges River Parkway (currently a road reservation) that could provide another important road link and an alternative route to the M5 for at least part of the journey through the Campbelltown Local Government Area.

Transport is the key to making Sydney as a whole, and each region and subregion within Sydney, work with a larger population. The existing public transport network and road infrastructure are already beyond capacity during peak periods and if the population increases as predicted, the existing systems will not cope. Sydney is sadly falling behind other advanced cities of the world and Sydney's standard of living has suffered as a consequence, falling from the 7th ranked most liveable city in the world to 13th in 2009 (Monocle 2009) on the world's most liveable cities index.

4. More Jobs in the Sydney Region

It is positive to note that the supply of local jobs has increased in the last five (5) years. However, little detail is provided about how many additional jobs that will be required to meet future demand and how these job opportunities will be created.

The growth of jobs in Campbelltown–Macarthur in the last five (5) years is more evidence that Campbelltown should be declared a Regional City under the revised Metropolitan Strategy.

The discussion paper states that some centres, including Campbelltown-Macarthur will be revitalised, however no details are provided on how or when this will occur, whether this will be done in consultation with Council, and whether any funding will be available to assist in the proposed revitalisation. Critically, there is no clear link between the proposed revitalisation of the centre and improving transport and other essential infrastructure.

While the discussion paper does not specifically mention where additional employment lands will be identified, it has been suggested that additional land in South West Sydney may be identified to meet future employment needs. It is critical that the relevant local councils are not only consulted, but are included in the decision making process regarding the location of future employment lands.

5. Growing Sydney's Value

Campbelltown's economy has the potential to be significantly boosted by giving the Campbelltown-Macarthur Centre Regional City status in the revised Metropolitan Strategy. Once an area is identified as a Regional City, access to additional funding streams and assistance from the NSW Government for future planning and development would be enhanced. The Regional City title may also provide added kudos to the Campbelltown LGA and attract further job creating enterprises to the area. However, current transport and infrastructure problems will also need to be resolved in order for businesses to take full advantage of the opportunities and positive attributes of the area.

6. Strengthening a City of Cities

The Metropolitan Strategy Review provides an opportunity to transform the Campbelltown LGA, based on the Campbelltown-Macarthur Regional Centre, from a moderately successful outer suburban area into a sustainable, partially self-contained (in terms of employment, health, education, recreation and entertainment opportunities) Regional City, that services not only the needs of local residents but also those of the broader South West Subregion.

7. Meeting Changing Housing Needs

Campbelltown City Council has already committed to taking a large proportion of the growth that needs to be accommodated in South West Sydney, in accordance with the targets set in the 2005 Metropolitan Strategy. Council is seriously considering the implications of committing to providing any additional dwellings (to address the proposed increased dwelling target to be set by the Metropolitan Strategy Review) unless substantial transport and other critical infrastructure is provided first.

8. Balancing Land Uses on the City Fringe

Containing the urban footprint of Sydney to ensure that rural and agricultural lands are protected, is supported. As part of the preparation of Council's new comprehensive local Environmental Plan for the Campbelltown LGA, work is being undertaken to determine an appropriate boundary for urban growth within the Campbelltown LGA to ensure that rural, scenic and environmentally sensitive areas are protected from urban development.

In addition, extensive and detailed strategic planning work is being undertaken to try and ensure that future development in the Campbelltown LGA is balanced to include a wide variety of uses, not just more residential development, and that important rural and scenic landscapes are retained.

Balancing land uses in the fringe areas of Sydney will only be successful if identification of any new areas for future urban growth is undertaken in partnership with the relevant local councils, and if the NSW Government does not continually override and undermine local planning controls by approving developments that would otherwise be prohibited or refused in areas where they are not considered appropriate.

9. Achieving Renewal

Focussing growth around centres that are close to existing transport and services is supported. However, the capacity of the existing transport and other infrastructure and services needs to be increased to cope with an increased population.

As previously stated, Campbelltown City Council is seriously considering the implications of committing to providing any additional dwellings over and above those to which it is already committed (to address the proposed increased dwelling target to be set by the Metropolitan Strategy Review) unless substantial transport and other critical infrastructure is provided first.

Council will also consider any opportunities for funding or other assistance that may arise to assist in enhancing the Campbelltown-Macarthur CBD.

10. Implementation

The introduction of a Metropolitan Development Authority (MDA) is of concern if not managed appropriately, as it could place further limits on Council's control of development and redevelopment within the Campbelltown LGA. The NSW Government has already overridden Council's powers in relation to several controversial developments within the LGA, despite local concerns.

Giving that the MDA has the power to acquire and amalgamate land, it appears to conflict with the detailed strategic planning that Council staff are currently undertaking to ensure that future development within the Campbelltown LGA respects the existing landscape, the environment and heritage values, and that growth is located within or close to existing centres.

11. What Else?

The following issues, which Council raised in its submission on the South West Subregion Draft Subregional Strategy (SW Strategy), are reiterated here as they are also valid matters for consideration in the review of the Metropolitan Strategy:

- South West Sydney needs to be made a priority for infrastructure provision as it will be accommodating the majority of the growth in population in the period from now until 2036.
-

- The Metropolitan Strategy Review and the SW Strategy need to provide a clear commitment to the provision of infrastructure to cater for the future growth that is planned for the SW Region in the period up to 2036. It is extremely difficult to organise the release of land, and to justify increasing urban densities, without the necessary infrastructure to cater for the associated population increase. Both the Metropolitan Strategy Review and the SW Strategy need to clearly identify the regional infrastructure that will be required in the SW Region to 2036 and commit to the provision of this infrastructure. In particular, there needs to be a commitment to ensure that the South West Rail Link, the Spring Farm Parkway, and the Badgally Road extension will be constructed in a timely manner to complement the development of Edmondson Park, the Spring Farm and Menangle Park Urban Release Areas and the South West Growth Centre.
 - Council is concerned that without the provision of the required regional infrastructure, and particularly (all stages of) the South West Rail Link, the Spring Farm Parkway Road, and the Badgally Road extension in the short term, and other transport in the longer term, there will be difficulty in achieving the housing and employment targets that are set in the draft SW Strategy and the revised targets that are likely to be included in the Metropolitan Strategy Review.
 - The NSW Government has recently approved a Gas Fired Power Plant at Leaf's Gully. The approval of this infrastructure project, its impacts on the environment, and its impacts on potential future development in Gilead and Macarthur South should be addressed in both the Metropolitan Strategy Review and the SW Strategy.
 - Council has recently received a number of concept proposals for, and enquiries about the future development of, areas outside the current urban footprint of the Campbelltown LGA. These areas include the Scenic Hills, the Edge Scenic Protection Lands (land zoned for environmental protection purposes to the immediate west of the proposed Georges River Parkway Road Reservation) and Wedderburn. Council believes that the inclusion of clear statements within the revised Metropolitan Strategy and the SW Strategy about whether or not these areas could ever be considered for urban development, or whether they should remain non-urban, would be of great assistance in determining with certainty a future urban footprint for the Campbelltown LGA. The Scenic Hills in particular are of significant value to both Council and the local community and Council has resolved to protect the area from inappropriate development, including urban development.
 - The Discussion Paper does not address heritage (both environmental and cultural). The revised Metropolitan Strategy needs to clearly address how heritage and environmentally sensitive areas can be protected from the impacts of a growing population and the continuing urbanisation and densification that will be required to accommodate the expected population increase throughout the Metropolitan area and in South West Sydney.
 - Both the revised Metropolitan Strategy and the SW Strategy need to provide clear direction on how future employment targets can be met. It would be of great assistance to Council if these broader strategic planning strategies identified definite areas where additional employment should be targeted and approximate numbers of jobs that should be achieved in each of the targeted areas. This would greatly assist the effectiveness of local planning.
 - There is concern about the need to provide additional industrial land and land for the creation of business parks within the SW Region. Council staff believe that it is imperative that the Metropolitan Strategy Review and the SW Strategy identifies sites that would be appropriate for future employment lands. This would prevent land speculation on inappropriate sites (such as land within the Scenic Hills) and create greater certainty for Council, land owners, investors and the community. This work must be done on a coordinated sub-regional basis.
-

- The findings of the Department of Planning's review of its surplus land holdings within the SW Region should be addressed in both the revised Metropolitan Strategy and the SW Strategy. Of particular concern to Council are the future of the Georges River Regional Open Space Corridor, the proposed Georges River Parkway Road Reservation, and the Special Purposes Corridor that traverses the Campbelltown LGA in an east-west direction between the suburbs of Ingleburn and Minto.
- As indicated above, Council is particularly concerned about the future of the proposed Georges River Parkway Road Reservation. Council believes that the retention of this future transport corridor is essential to provide for the future transport needs of a growing regional population, particularly in light of the limited public transport facilities in the area, and the fact that the South West will accommodate the most growth in the period from now until 2036. The longer term potential for Macarthur South as an opportunity to accommodate part of Sydney's future growth should not be ignored.
- The need for additional cemetery and crematorium facilities, to cater for the increasing population within the Metropolitan Region and particularly the SW Region, should be clearly addressed as part of the Metropolitan Strategy Review and in the SW Strategy. The identification of potential sites for these types of facilities would be of great benefit to Council. It would also be of assistance if the site selection criteria for the establishment of new cemeteries and crematoriums (being prepared by the NSW Government) could be finalised as soon as possible.
- All inconsistencies between the Metropolitan Strategy and the SW Strategy should be resolved before the revised Metropolitan Strategy and the SW Strategy are finalised.
- It is imperative that the revised Metropolitan Strategy, the subregional strategies and the Metropolitan Transport Plan are integrated and work together to ensure that future growth is balanced with the provision of essential transport and other infrastructure. It is considered that the NSW Government is making good progress on developing integrated land use and transport planning. What is missing sadly, is an assurance that the Government will deliver integrated land use and transport solutions on the ground.

Concluding Comments

The Metropolitan Strategy Review provides an opportunity to improve the strategic planning framework for the future growth and development of the Sydney Metropolitan Area, especially if it is integrated with the Metropolitan Transport Plan and the South West Subregion Draft Subregional Strategy. However, the NSW Government needs to commit to the provision of infrastructure and to meaningful consultation with local government if an effective strategic planning regime for Sydney's future is to be created and implemented.

Thank you again for the opportunity to provide comment on the Metropolitan Strategy Review. I trust that the above information will be of assistance to you and that the issues raised by Council will be considered and included in the revised Metropolitan Strategy and in the final Subregional Strategy for the South West Subregion.

If you require any further information please contact Caroline Puntillo on (02) 4645 4563.

Yours sincerely

Jeff Lawrence
Director Planning and Environment

2.5 Naming of Reserve 4 at Rosemeadow

Reporting Officer

Manager Environmental Planning

Attachments

Nil.

Purpose

To seek Council's approval to submit an application to the Geographical Names Board of NSW (GNB) to have the name "Gabun Gujaaja Reserve" meaning 'very good children' assigned as the geographical name for the reserve currently known as Reserve 4 at Lysander Avenue, Rosemeadow.

History

Council at its meeting on 20 October 2009, Planning and Environment Committee Item 2.3 – Excavation Works and Naming of Reserve 4 Rosemeadow, resolved:

1. *That Council exhibits the proposal to name Reserve 4 at Lysander Avenue, Rosemeadow "Gabun Gujaaja Reserve" for a period of 28 days to allow for public comment.*
2. *That Council publishes notice of this naming proposal in local newspapers.*
3. *That a report on the proposed naming of Reserve 4 be prepared for consideration at the next available meeting of Council's Aboriginal Advisory Sub Committee.*

Report

In accordance with Council's resolution, the proposal to name Reserve 4 was exhibited at Council's Civic Centre and at the HJ Daley Central Library from 1 February 2010 to 1 March 2010. Notice of this naming proposal was also published in the Campbelltown Macarthur Chronicle on 2 February 2010 and in the Campbelltown Macarthur Advertiser on 3 February 2010. No comments were received from the public regarding this naming proposal.

Also in accordance with Council's resolution, a report on this naming proposal was considered by Council's Aboriginal Advisory Sub Committee at its meeting of 15 February 2010. The Sub Committee's recommendation was:

"That the Aboriginal Advisory Sub Committee endorse Council's proposal to name Reserve 4 at Lysander Avenue, Rosemeadow "Gabun Gujaaja Reserve".

With no public comments having been received following exhibition and notification of this naming proposal and the endorsement of the proposal by Council's Aboriginal Advisory Sub Committee, the next step in naming this reserve is for Council to submit an application to the GNB to assign the name "Gabun Gujaaja Reserve" as a geographical name under the provisions of the Geographical Names Act, 1966.

Officer's Recommendation

That Council submit an application to the Geographical Names Board of NSW to have the name "Gabun Gujaaja Reserve" assigned as the geographical name for Reserve 4, Lysander Avenue, Rosemeadow.

Committee's Recommendation: (Rowell/Oates)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 4 May 2010 (Matheson/Rowell)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 71

That the Officer's Recommendation be adopted.

2.6 The Office of the Hawkesbury Nepean

Reporting Officer

Manager Environmental Planning

Attachments

Nil.

Purpose

To provide information in regard to aspects of the functions of the Office of the Hawkesbury Nepean (OHN) as set out in the recently proclaimed *Hawkesbury Nepean River Act 2009*. The report also provides details of Council's involvement in the activities of the Office since its establishment in October 2008 and the relationship of the OHN with the Hawkesbury Nepean Catchment Management Authority (HNCMA) and the Hawkesbury Nepean Local Government Advisory Group (HNLGAG).

History

A Planning and Environment Division Councillor Weekly Memo (CWM) issued on 17 October 2008 advised of the announcement by the New South Wales Government to establish the Office of the Hawkesbury Nepean (OHN) for the purposes of co-ordinating a range of government programs to improve the river health within the Hawkesbury Nepean Catchment. This Memo Item further advised that the establishment of this Office had implications for Council given that approximately 12% of the Campbelltown Local Government Area is located within the Hawkesbury Nepean Catchment.

A subsequent CWM item (dated 20 March 2009) advised of a workshop that was held by the Office of Hawkesbury Nepean (OHN) to identify natural resource management issues within the Catchment and responsibilities and priorities for the OHN. A key outcome of the workshop was an identified need for the OHN to co-ordinate the implementation of the significant number of then current (and future) local and State Government natural resource management strategies and programs.

Report

Proclamation of the Hawkesbury Nepean River Act

The New South Wales Government has recently proclaimed the *Hawkesbury Nepean River Act 2009*, which is the enabling Act for the OHN. The primary functions of the Office include the co-ordination and implementation of natural resource management strategies and programs, the promotion of public involvement in the development of management strategies and assisting public authorities and the community in regard to 'in-stream development'.

Relationship of the Office with the Local Government Advisory Group

The appointed Chairman of the OHN has advised of the importance of local government working closely with the OHN to ensure that the functions and roles/responsibilities of the OHN can be achieved. In this regard, a representative of the Office is an ongoing 'observer' at meetings of the HNLGAG of which Council is an active member. The purpose of this 'observer status' is to enable the OHN to inform the HNLGAG of its activities and vice versa.

In addition, the Planning and Environment Division CWM Item (dated August 2009) advised that the OHN had initiated discussions with the HNCMA regarding the development of an appropriate agreement given the similarities in functions and responsibilities. The CWM item further advised that a revised partnership between the HNLGAG and the HNCMA (initially commenced in October 2008 primarily in response to existing funding arrangements) would incorporate aspects of this agreement. In this regard, officers have been advised that these discussions are nearing completion and that the outcomes will be reported to a forthcoming meeting of the HNLGAG. Information regarding the outcomes of these discussions and implications for Council regarding its relationship with both the OHN and the HNCMA, will be provided when available.

Involvement of Council in the operation of the Office since its inception

(i) Provision of natural resource management strategies

In October 2009, Council received correspondence from the OHN (sent to all catchment councils) requesting copies or links of all its relevant management strategies and policies relating to the Hawkesbury Nepean Catchment as part of an audit of natural resource management activities within the Catchment. Council's correspondence (accompanying the supplied relevant documents) welcomed the audit and indicated that Council officers would be willing to meet with representatives of the Office to discuss means of establishing a collaborative relationship. This matter will be pursued further following the completion of the review of the significant number of strategies received from Catchment councils by the OHN.

(ii) Local government representative on the Stakeholder Committee established by the Office

The OHN has recently established a Stakeholder Committee for the purposes of obtaining advice on management strategies on the health of the Hawkesbury Nepean river system and community views on river health management issues. As part of the establishment of this Committee, the OHN sought nominees for the local government representative from the Local Government and Shires Association (LGSA) as part of broader consultation associated with the entire eight (8) representatives of the Committee. The LGSA, (in correspondence sent to all Catchment councils dated 26 February 2010), advised that the nominee (amongst other matters) should be, *"conversant with the major ecological, social, and economic issues facing the river system, as well as Local Government, in the catchment"*.

Council's reply to the LGSA (sent prior to the specified deadline of 26 March 2010) advised that Council considers that the nominee should be from an alternate council in the catchment given the small proportion of the Campbelltown LGA in the Nepean Catchment. In this regard, the letter requested that the Association convey the view that the local government nominee should come from the HNLGAG given that this group is the representative of all catchment councils as referred to above. It is anticipated that information on the final composition of the Committee will be provided to the next meeting of the HNLGAG, scheduled for 27 May 2010.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Bourke/Greiss)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 4 May 2010 (Matheson/Rowell)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 71

That the Officer's Recommendation be adopted.

3. DEVELOPMENT SERVICES

3.1 Development Services Section Application Statistics - March 2010

Reporting Officer

Manager Development Services

Attachments

Development Services Application Statistics for March 2010 (distributed under separate cover).

Purpose

To advise Council of the status of development applications and other key matters within the Development Services Section.

Report

In accordance with Council's resolution that Councillors be provided with regular information regarding the status of development applications, the attachment to this report provides details of key statistics for March 2010 as they affect the Development Services Section.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Kolkman/Oates)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 4 May 2010 (Matheson/Rowell)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 71

That the Officer's Recommendation be adopted.

3.2 Accreditation of Council's Building Surveyors in Accordance with the Building Professionals Board's Accreditation Scheme

Reporting Officer

Manager Development Services

Attachments

NSW Government Planning Circular (PS 10-003) Commencement of provisions – accreditation of council employees

Purpose

To inform Council of changes to the Building Professionals Act 2005 and the Building Professionals Regulation 2007 which now requires the accreditation of Local Government building surveyors as Council Accredited Certifiers similar to that of private building certifiers.

History

On 1 March 2010, the *Building Professionals Amendment Act 2008* together with amendments made by the *Building Professionals Amendment (Accreditation of Council Employees) Regulation 2010* and amendments to the Building Professionals Board's Accreditation Scheme commenced and introduced a framework for the accreditation of Council employees as "Council Accredited Certifiers" to undertake building certification works on behalf of a Council. The new legislation establishes qualification and experience standards for all certifiers, whether they work for a Council or in the private sector.

Report

As of 1 March 2010, the Building Professionals Board (BPB) has been able to issue certificates of accreditation to employees of Councils who are engaged in carrying out building certification work. The certificates of accreditation are required for Council building surveyors who wish to undertake building certification beyond September 2010. In this regard, Councils have until 1 September 2010 to have sufficient numbers of accredited certifiers available to undertake all of Council's building certification work. After this date, any building certification work undertaken on behalf of Council's must be undertaken by either a Council accredited certifier or a private accredited certifier. For this purpose, an application for certification must be made to the BPB by each of Council's building surveyor's required to undertake building certification after 1 September 2010.

3.2 Accreditation Of Council's Building Surveyors In Accordance With The Building Professionals Board's Accreditation Scheme

The Building Professionals Act provides that a building surveyor's application for accreditation to carry out certification work on behalf of a Council may only be made with the endorsement / recommendation of a Council. However, an application may also be endorsed by the General Manager where the Council grants delegated authority to the General Manager to make recommendations in relation to applications for accreditation to the BPB. In this regard, the BPB recommends that each Council pass a resolution delegating authority to the General Manager or another appropriate person to make recommendations in relation to applications for accreditation.

Accreditation levels range from level A1 to level A4 with the level of experience, qualifications and skills rated from the highest level A1 (unlimited) to the least experience at Level A4. The process for accreditation requires an applicant to satisfy the Council / General Manager and the BPB of their qualifications and their experience based on pre-determined criteria for each of the specific categories of accreditation sought. The Regulation also specifies the limit of the authority provided by each category of accreditation and the types of certificates that may be issued.

Each application is to be assessed by Council management and signed off by the Council / General Manager with a recommendation to the board including the specified category of accreditation.

Ongoing Administration

Councils are required to carry out a number of administration functions in relation to accreditation of staff. These include recording such things as:

- the date on accreditation numbers;
- the date the certifier commenced work;
- the date the certifier ceased work; and
- a description of each project certified by that person.

Key elements of the accreditation scheme are:

- Accreditation will only cover work undertaken on behalf of a Council;
 - Council accredited certifiers can carry out work on behalf of any Council in NSW;
 - Councils can consider an expanded range of qualifications and experience when recommending a Council building certifier for accreditation;
 - Applications by individuals can only be made with the recommendation of a Council or General Manager (where delegation has been extended to the General Manager);
 - A three year transition period from March 2010 will provide time for council building certifiers to become accredited. Councils have six months from March 2010 to ensure work under A1 to A4 Categories is undertaken by accredited certifiers. Exemptions can be applied for;
 - Initial accreditation is free with annual renewal fees being capped in the first few years. Renewals up until March 2013 will cost in the order of \$250.00 per council certifier per year. However, it is expected that annual fees beyond this date could increase to \$1500 per certifier which is the approximate rate currently being paid by private certifiers;
-

3.2 Accreditation Of Council's Building Surveyors In Accordance With The Building Professionals Board's Accreditation Scheme

- Council accredited certifiers will be required to undertake Continuing Professional Development (CPD) programs which consist of 4hrs per officer for the first year, 6hrs per officer the second year and 8hrs per officer in the third year. It is expected that beyond 2013, Council certifiers will be required to complete the same number of CPD hours as a private certifier which at this stage is 30hrs per officer per year at a rate of approximately \$65 per CPD hour/point or approximately \$2000 per year per officer;
- Council currently employs 8 building surveyors that would be seeking accreditation;
- All certifiers will be subject to the Board's disciplinary procedures, however existing civil liability protections established under the Local Government Act will remain;
- Council accredited certifiers can undertake certification work on developments where they have been involved in the assessment or determination of a related DA or CDC, without those being deemed a conflict of interest; and
- Council accredited certifiers can undertake certification work on development projects proposed by the employing Council without those works being deemed a conflict of interest.

Other Related Matters

- Upgrading of Accreditation – the holder of a certificate of accreditation may apply at any time prior to 1 March 2013 to be accredited in a different category of accreditation or for removal or variation of any condition attached to their certificate;
 - Terms of Accreditation – Council accredited certifiers may only carry out the functions and issue the certificate specified in the Regulation for their level of accreditation and only on behalf of Council.
 - Code of Conduct – Accredited certifiers must comply with the Code of Conduct for accredited certifiers contained in Schedule 5 of the Regulation. The Board may refuse to issue or renew a Certificate of Accreditation if the applicant has contravened the Code of Conduct.
 - Continuing Professional Development – Accredited certifiers must participate in and satisfy the requirements of the BPB's continuing professional development program. The BPB may refuse to renew a certificate of accreditation if any accredited certifier has not satisfied the requirements of the Boards continuing professional development program.
-

Officer's Recommendation

1. That Council grant delegated authority to the General Manager to make recommendations in relation to all applications for accreditation of Council building surveyors under the Building Professionals Act 2005.
2. That Council approve the payment of the ongoing annual fees and costs associated with the continual professional development and accreditation of Council's building surveyors.

Committee's Recommendation: (Oates/Rowell)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 4 May 2010 (Matheson/Rowell)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 71

That the Officer's Recommendation be adopted.

ATTACHMENT 1



Planning

PLANNING circular

PLANNING SYSTEM

Act and regulation changes

Circular	PS 10 - 003
Issued	26 February 2010
Related	

Commencement of provisions – accreditation of council employees

The purpose of this circular is to advise councils, accredited certifiers and the community of changes to the *Building Professionals Act 2005*, the *Building Professionals Regulation 2007* and the Accreditation Scheme that introduce a framework for the accreditation of council employees who undertake building certification work on behalf of a council.

Introduction

Provisions of the *Building Professionals Amendment Act 2008* ("the BP Amendment Act") together with amendments made by the *Building Professionals Amendment (Accreditation of Council Employees) Regulation 2010* ("the Amending Regulation") commence on 1 March 2010.

These provisions, together with amendments to the Building Professionals Board's Accreditation Scheme, will establish a framework for the accreditation of council employees as "council accredited certifiers". These changes are summarised below.

Council employees and accredited certifiers should familiarise themselves with the requirements of the Amendment Act, the new Regulation and amended Accreditation Scheme.

Amendments to the BP Act and BP Regulation

From 1 March 2010, the Building Professionals Board ("the Board") will be able to issue certificates of accreditation to employees of council who are engaged in carrying out building certification work.

Changes to the *Building Professionals Act 2005* ("the BP Act") and *Building Professionals Regulation 2007* ("the BP Regulation") are as follows:

Applications for accreditation

The BP Act has been amended to enable employees of a council to apply to the Board for accreditation. Council employees, once accredited, will be known as "council accredited certifiers", defined in the BP Regulation as an accredited certifier whose

certificate of accreditation is subject to a condition that the certifier may carry out certification work only as an employee of a council.

The BP Act also provides that an application for accreditation to carry out certification work on behalf of councils may only be made on the recommendation of a council. The BP Regulation is amended to prescribe the matters that a council is to take into account when considering whether to recommend an application for accreditation.

Amendments to the BP Act require that when determining an application for accreditation, or renewal of accreditation, the Board must not refuse to issue or renew the accreditation on certain grounds unless the Board has information that gives it reason to believe that it should refuse the application on that ground.

Suspension or cancellation of accreditation

The BP Act is amended to provide that the Board may suspend or cancel a person's accreditation to carry out certification work on behalf of a council if the person has ceased to be employed by a council.

Categories of certificates of accreditation

The authorisations conferred in Schedule 1 of the BP Regulation have been amended for category A3 to expand the types of certification work that may be carried out by persons accredited in that category, to align the category with categories of accreditation in other states.

A new category, A4 – Building Inspector, has also been introduced. Council employees as well as persons not employed by councils are able to apply for accreditation under category A4.

3.2 Accreditation Of Council's Building Surveyors In Accordance With The Building Professionals Board's Accreditation Scheme

Department of Planning circular PS 10-003

Prescribed condition of accreditation

The BP Regulation has been amended to make it a condition of accreditation for a council employee that the holder of accreditation may carry out certification work only as an employee of a council.

Record keeping requirements

Amendments to the BP Regulation require certain records to be kept by councils in relation to persons who carry out certification work on their behalf and in relation to the carrying out of such work:

- The date and accreditation number of the certifier,
- The date on which the certifier commenced employment or was engaged by council,
- The date on which the certifier ceased employment or to be engaged by council, and
- A brief description of each project in respect to which the certifier carried out certification work on behalf of a council.

Notice to be given by council of certain matters

Amendments to the BP Regulation require councils to give notice to the Board of the date on which a council accredited certifier commences or ceases employment with the council in a position that involves the carrying out of certification work on behalf of the council and the accreditation number of the certifier. Such notice is to be provided in writing to the Board within 7 days.

Conflicts of interest

Amendments to the BP Act provide that it is not an offence for an accredited certifier employed or engaged by a council to issue a Part4A certificate or complying development certificate on behalf of the council in relation to development that is to be carried out in the area of the council.

Amendments to the BP Regulation vary the circumstances in which certain design work carried out by an accredited certifier is taken to create a conflict of interest for the purposes of section 66 of the BP Act. Clause 17 of the BP Regulation has been amended to omit the reference to Class 1 and Class 10 buildings. This has the effect of allowing all accredited certifiers to provide advice on how to amend plans and specifications relating to an aspect of development for all classes of buildings under the Building Code of Australia so that they will comply with legislative requirements, not just Class 1 and Class 10 buildings.

Exemptions

The BP Act is amended to provide the Board, with the approval of the Minister, the power to exempt a council from ensuring certification work done on behalf of the council is done by an accredited certifier who has the relevant certificate of

accreditation, and the power to exempt a council from the requirement to accept appointment as the Principal Certifying Authority (PCA) for development.

The approval of the Minister may be given in relation to a particular case or class of cases, may be subject to conditions and may be amended from time to time. Any exemption may be limited in time or revoked by the Board by notice in writing.

Fees

Schedule 2 of the BP Regulation sets the fee for an application for a certificate of individual accreditation as a council accredited certifier, or the annual renewal of accreditation if made before 1 March 2013, at \$250.

Savings and transitional provisions provide that no application fee will be payable in relation to an application for a certificate of accreditation as a council accredited certifier in the period from 1 March 2010 up to and including 28 February 2013.

Amendments to the Accreditation Scheme

Changes to the Board's Accreditation Scheme ("the Scheme") to introduce a framework for the accreditation of council employees are as follows:

Accreditation criteria

Schedule 2 of the Scheme sets out the qualifications and experience that are required for council employees to become council accredited certifiers until 1 March 2013.

Applicants for accreditation as a council accredited certifier in categories A1, A2, A3 or A4 must demonstrate:

- they either hold the qualifications and experience required for the category of accreditation in which they seek to be accredited, or
- if applying for category A2, A3 or A4, have the experience specified in Schedule 2 (for applicants who do not hold a relevant qualification).

Recommendation by the council

As outlined above, an application for accreditation to carry out certification work on behalf of councils may only be made on the recommendation of a council.

In making a recommendation, council must take into account the following:

- the requirements of the scheme that are relevant to the category of accreditation that is sought by the applicant,
- any assessment guidelines issued by the Board for the making of a recommendation,

3.2 Accreditation Of Council's Building Surveyors In Accordance With The Building Professionals Board's Accreditation Scheme

Department of Planning circular PS 10-003

- the qualifications of the applicant,
- the experience of the applicant as known to the council and as documented by the applicant, and in particular, the type of certification work undertaken by the applicant, and
- whether the council is of the opinion that the applicant is a fit and proper person.

Application for accreditation

Applicants must complete and lodge an application in the approved form with the Board, together with any required supporting documents and information. The Board may require further documents or information to be provided if the Board considers it necessary in order to determine the application.

Applications can only be made for accreditation for the category, and if applicable, the condition, recommended by the council. The application must include a recommendation by the council that is the current employer of the applicant, in the form approved by the Board as part of the Application Form.

Applications for the renewal of accreditation are not required to be accompanied by a recommendation by council, but are required to be made in the form approved by the Board.

The Board's approved Application Forms for accreditation as a council accredited certifier are available at www.bpb.nsw.gov.au.

Assessment for accreditation

When applying for accreditation, applicants for accreditation must provide evidence to the Board that they satisfy the qualification and experience requirements set out in Schedule 2 for the category of accreditation in which the applicant seeks to be accredited.

The Board has prepared a number of documents to assist councils and their staff in applying for accreditation.

Assessment Guidelines are available which guide applicants through the requirements of the Application Form relevant for each category. The Guidelines provide further information on the following:

- requirements for accreditation
- fit and proper person declaration
- resume
- application checklist
- applicant declaration, and
- council recommendation.

These Guidelines, together with the Application Forms for each category are available at www.bpb.nsw.gov.au.

The Board may refuse to issue a certificate of accreditation if the Board is not satisfied that the

applicant has the qualifications and/or experience required or does not otherwise satisfy the requirements of the BP Act or Regulation.

The Board may issue a certificate of accreditation for a different category to that which is applied for. The Board may issue a certificate of accreditation unconditionally or subject to conditions.

Certificates of accreditation

All certificates of accreditation issued to council accredited certifiers in the three (3) year transitional period from 1 March 2013 will be subject to a prescribed condition that the certifier may only carry out certification work as an employee of council. Accreditation awarded in the three (3) year transitional period is valid for work as a council officer in any council.

Through the Board's approved Application Forms, an applicant, in conjunction with the recommendation of a council, can elect to apply for a category of accreditation unconditionally or choose one or more conditions.

Upgrading accreditation

Council accredited certifiers who hold certificates of accreditation issued by the Board under Division 2 of the Scheme may apply to be accredited in a different category of accreditation, or for the removal or variation of any condition attaching to their certificate of accreditation at any time before 1 March 2013.

Obligations on certifiers once accredited

The scheme makes clear that council accredited certifiers are subject to the following obligations:

- they can only carry out the functions and issue the certificates set out in the Regulation for their category of accreditation
- they must at all times comply with any restrictions set out in the Regulation for their category of accreditation, and
- they must comply with any conditions imposed on their accreditation by the Board or by the Administrative Decisions Tribunal.

Code of conduct

Schedule 4 of the scheme sets out the code of conduct that applies to all accredited certifiers.

The code contains 13 requirements and certifiers must comply with each of those requirements. The requirements cover such matters as acting in the public interest, protecting and using information, acting within the certifier's competence, gifts and benefits and bias.

The Board may refuse to issue or renew a certifier's accreditation if they have contravened the code.

Continuing professional development

3.2 Accreditation Of Council's Building Surveyors In Accordance With The Building Professionals Board's Accreditation Scheme

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Once they are accredited, council accredited certifiers are required to keep their skills and knowledge up-to-date by complying with the Board's continuing professional development (CPD) program set out in Schedule 5 of the scheme.

The CPD program consists of two elements. Certifiers must:

- complete up to two courses each year that are approved by the Board, and
- undertake CPD relevant to building surveying as specified by the Board.

The first requirement is designed specifically to keep council accredited certifiers' knowledge of legislative requirements and their professional practice skills current. The second requirement is designed for council accredited certifiers to keep their underlying building surveying skills current.

The Board can refuse to renew a council accredited certifier's accreditation if they have not satisfied the requirements of the program.

Further details about the CPD program for council accredited certifiers are available at www.bpb.nsw.gov.au.

Additional training

The scheme also allows the Board to require council accredited certifiers to undertake further education or training courses. The Board can require all certifiers or only a group or groups of certifiers to undertake a course. For example, where changes are made to the Building Code of Australia that are relevant only to some certifiers, the Board can require only those relevant certifiers to undertake training on those changes. The changes would not be covered in the Board's CPD courses as they do not apply to all certifiers.

The Board must give written notice to the certifiers to require them to undertake such additional training.

Transitional arrangements

In the three (3) year transition period commencing on 1 March 2010 the Scheme will have a specific set of requirements applicable to council employees applying for accreditation. All certificates of accreditation issued to council accredited certifiers in the three (3) year transitional period will be subject to a prescribed condition that the certifier may only carry out certification work as an employee of council. Accreditation awarded in the three (3) year transitional period is valid for work as a council accredited certifier in any council.

1 March 2010 – 1 September 2010

The relevant provision of the BP Amendment Act requiring councils to ensure that certification work is done by accredited persons will be proclaimed to commence on 1 September 2010.

Councils must have sufficient accredited persons either employed or contracted to undertake council's certification work by this date.

1 March 2010 – 28 February 2013

At the end of a three (3) year transition period on 28 February 2013, the specific set of requirements in the Scheme applicable to council employees applying for accreditation will be removed. There will be only one set of requirements in the Scheme applicable to all persons applying for accreditation.

Council accredited certifiers accredited in the three (3) year transitional period will not be required to be assessed against the requirements of the Scheme at the end of the three (3) year transitional period. They can continue to work under their certificate of accreditation subject to the prescribed condition that they only carry out certification work on behalf of council provided they renew their certificate each year.

Council accredited certifiers who want to have the abovementioned prescribed condition removed or to obtain a higher Category of accreditation are advised to obtain a qualification listed in Part 2 of Schedule 3 of the Accreditation Scheme. These qualifications are recognised as satisfying the skills and knowledge requirements of the Accreditation Scheme.

Further information

A copy of the *Building Professionals Amendment (Accreditation of Council Employees) Regulation 2010* is available on the NSW Government's legislation website:

<http://www.legislation.nsw.gov.au>

The application forms, assessment guidelines and other explanatory materials are available at www.bpb.nsw.gov.au.

If you have further enquiries, please contact:

The Building Professionals Board on (02) 9895 5950 or email bpb@bpb.nsw.gov.au.

Note: This and other Department of Planning circulars are published on the web at <http://www.planning.nsw.gov.au/PlanningSystem/Circularsandguidelines/PlanningSystemCirculars/tabid/81/Default.aspx>.

Authorised by:

Sam Haddad
Director-General
NSW Department of Planning

Department of Planning circular PS 10-003

Important note: This circular does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this circular.

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3.3 No. 4 Tindall Street, Campbelltown – Reconfiguration Of Five (5) Tenancies, Into Four (4) Tenancies, Including The Fitout And Use Of One (1) Tenancy As A Liquor Outlet

3.3 No. 4 Tindall Street, Campbelltown – Reconfiguration of five (5) tenancies, into four (4) tenancies, including the fitout and use of one (1) tenancy as a liquor outlet

Reporting Officer

Manager Development Services

Attachments

1. Recommended Conditions of Consent
2. Locality Plan
3. Floor Plan
4. Layout Plan
5. Elevations

Purpose

To assist Council in its determination of the subject Development Application in accordance with the provisions of the Environmental Planning and Assessment Act 1979.

Property Description	Lot 2341, DP 830786 – Marketfair Shopping Centre – No. 4 Tindall Street, Campbelltown
Application	2485/2009/DA-C
Applicant	Marketfair Holdings Pty. Ltd.
Owner	Marketfair Holdings Pty. Ltd
Statutory Provisions	Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment Campbelltown (Urban Area) Local Environmental Plan 2002
Other Provisions	Campbelltown (Sustainable City) Development Control Plan 2009 Campbelltown City Council Section 94A Development Contributions Plan Development Control Plan No.87 – Public Notification and Public Exhibition Policy
Strategic Context	Campbelltown 2025 Looking Forward
Date Received	16 November 2009

Report

Introduction

Development Consent is sought for the reconfiguration of five (5) tenancies, into four (4) tenancies, including the fitout and use of one (1) tenancy (Shop 28) as a liquor outlet, specifically including:

- four (4) new tenancy layouts:
 - ‘S28’ – 170m² liquor outlet accessed from within the shopping centre;
 - ‘S27’ – 47m² shop accessed externally from the shopping centre;
 - ‘S26A’ – 46m² shop accessed from within the shopping centre;
 - ‘S26’ – 45m² shop accessed from within the shopping centre.
- fitout of tenancy (‘S28’), including cool room, shelving, display area and associated retail infrastructure; and
- use of tenancy (‘S28’) as a liquor outlet, with proposed operating hours within the range of 6:00am and 11:00pm, seven days per week.

Campbelltown 2025 Looking Forward

‘Campbelltown 2025 Looking Forward’ is a vision statement of broad town planning intent for the longer term future of the City of Campbelltown that:

- *Responds to what Council understands people want the City of Campbelltown to look, feel and function like;*
- *Recognises likely future government policies and social and economic trends; and*
- *Sets down the foundations for a new town plan that will help achieve that future.*

The document establishes a set of strategic directions to guide decision making and development outcomes. These directions are broad in nature and forms a prelude to a new statutory town plan for the City.

The strategic directions relevant to this application are:

- Growing the Regional City,
- Building a distinctive Campbelltown sense of place, and
- Creating employment and entrepreneurial opportunities.

The proposed development is generally consistent with these directions.

Some of the relevant desired outcomes of the strategic directions included in Campbelltown 2025 include:

- Urban environments that are safe, healthy, exhibit a high standard of design, and are environmentally sustainable;
- An impression of architecture that engages its environmental context in a sustainable way; and
- Development and land use that matches environmental capacity and capability.

The proposed development has been assessed giving regard to Campbelltown 2025 *Looking Forward*. It is considered that the Development Application is generally consistent with the Vision's desired outcomes when giving regard to the design and level of impact on adjoining development and the locality.

Assessment

The development has been assessed in accordance with the heads of consideration under Section 79C of the Environmental Planning and Assessment Act 1979, and having regard to those matters, the following issues have been identified for further consideration.

1. Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment

The proposal does not conflict with any of the relevant provisions of Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment, and is therefore considered acceptable in this regard.

2. Campbelltown (Urban Area) Local Environmental Plan, 2002

The subject site is zoned 10(a) Regional Comprehensive Centre under the provisions of Campbelltown (Urban Area) Local Environmental Plan, 2002. The proposed development is defined as a "liquor store" and is permissible within the zone subject to Development Consent.

The proposal is consistent with several zone objectives, particularly:

- to provide land for the City of Campbelltown and the Macarthur region's largest centre of commerce, and
- to encourage employment and economic growth.

As the development is permissible in the zone and complies with more than one of the objectives for development in the Regional Comprehensive Centre Zone, the proposal complies with the requirements of Clause 28 of Campbelltown (Urban Area) Local Environmental Plan 2002.

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3. Campbelltown (Sustainable City) Development Control Plan 2009

The proposal has been considered in accordance with the requirements of the Campbelltown (Sustainable City) Development Control Plan 2009, as per the following compliance table.

Section	Control	Requirement	Proposed	Compliance
2.13 (a)	Security	<p>Development shall be designed to:</p> <ul style="list-style-type: none"> • maximise, where possible, casual surveillance opportunities to the street and surrounding public places; • minimise dead ends and other possible entrapment areas; • clearly identify and illuminate access points to buildings and designated public places; and • clearly differentiate between private and public space. 	<p>While the proposal involves the filling in of window space addressing the centres' car parking area, in order to facilitate a cool room, the balance of the relevant reconfigured tenancy will continue to overlook the car parking area.</p> <p>Moreover, the works form part of an overall revitalisation strategy of the centre, seeking to facilitate the occupation of vacant floor space, in turn being likely to provide increased customer activity within and around the centre.</p>	Yes
2.15.1	Waste Management Plan	A detailed Waste Management Plan shall accompany relevant Development Applications.	<p>A detailed Waste Management Plan accompanied the application, detailing measures for both construction and use stages.</p> <p>Moreover, it is noted that sites' existing waste infrastructure adjacent to the loading / servicing area makes suitable provisions in this regard.</p>	Yes
5.3.1 (c) (i)	Building Form and Character	Large buildings shall incorporate the provision of vertical and / or horizontal offsets in the wall surfaces at regular intervals, including columns, projections, and recesses / variations to the height of the building so that the building appears to be divided into distinct massing elements, to assist in achieving a high quality architectural outcome.	External works are limited to the filling in of window space, constituting a relatively small portion of the exterior of the centre. Moreover, the relevant elevation faces within the property (the sites' car parking area) and given the relatively minor nature of the works, such will not compromise the overall architectural appearance of the centre.	Yes
5.3.1 (c) (iii)	Building Form and Character	Large buildings shall maximise interior and exterior interactions at the ground level, to achieve a high quality architectural outcome.	While the proposal involves the filling in of window space to facilitate the installation of a cool room, the balance of the relevant reconfigured tenancy will continue to overlook the car parking area.	Yes

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Section	Control	Requirement	Proposed	Compliance
5.4.2 (a)	Loading and Unloading	Loading bays shall be separated from parking and pedestrian access.	The applicant has detailed that deliveries will be made using the sites' existing delivery area, which is segregated from the car parking area, 'behind' the centre.	Yes. Moreover, conditions have been included within the recommended conditions requiring compliance with such.
5.4.2 (b)	Loading and Unloading	All loading and unloading shall take place wholly within the site.	The applicant has detailed that deliveries will be made using the sites' existing delivery area, which is located within the site.	Yes. Moreover, conditions have been included within the recommended conditions requiring compliance with such.
5.4.2 (c)	Loading and Unloading	No loading or unloading shall be carried out across parking spaces, landscaped areas pedestrian aisles or on roadways.	The applicant has detailed that deliveries will be made using the sites' existing delivery area, which is segregated from car parking and pedestrian areas, while also not conflicting with landscaped areas.	Yes. Moreover, conditions have been included within the recommended conditions requiring compliance with such.
5.4.2 (d)	Loading and Unloading	Parking and loading bays shall be provided and clearly identified on site.	The sites' existing loading area is clearly identifiable.	Yes
5.4.2 (e)	Loading and Unloading	Required manoeuvring areas for heavy vehicles shall not conflict with car parking.	The sites' existing delivery area, is segregated.	Yes
5.4.2 (g)	Loading and Unloading	Loading docks and service areas shall not be visible from any public place and shall be suitably screened from adjacent properties.	The proposal involves the use of the sites' existing loading and service facilities.	NA

4. Campbelltown City Council Section 94A Development Contributions Plan

Development contributions are applicable pursuant to the provisions of the Campbelltown City Council Section 94A Development Contributions Plan and accordingly a condition has been included within the recommended conditions requiring payment of such.

5. Consultation

The application was referred to Council's Community Resources and Development Section for comment. The comments provided, outlined that:

- The accompanying Social Impact Assessment covered the majority of the relevant issues, though matters in relation to other nearby liquor outlets could have been given more consideration.
- The major benefits identified in the accompanying Social Impact Assessment, were not adequately substantiated.

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- The hours of operation in the conditions of consent should be consistent with other approved stand alone liquor outlets (previously approved by Council).

Monday to Wednesday	9am - 8pm
Thursday to Saturday	9am - 9pm
Sunday	10am - 7pm

- That no major negative social impacts are foreseen, as a direct result of the subject proposal.

Notwithstanding the above, it is noted that the proponent will be required to obtain a Liquor Licence from the NSW Office of Liquor, Gaming and Racing, subsequent to Development Consent being issued.

Moreover, as previously discussed the proposal seeks use of the liquor outlet between the hours of 6:00am to 11:00pm, seven days per week. In this regard it is recommended that the hours be restricted to those suggested by as a way to reduce the potential for the occurrence of any anti-social type activity. The hours of operation suggested by the Council's Community Resources and Development Section are the same as those hours approved by Council for a recent proposal for a Liquor Outlet at 321 Queen Street, Campbelltown (behind Red Rooster).

6. Planning Assessment

Built Form

As previously discussed, the proposal involves the filling in of window space to facilitate the installation of a cool room. The area constitutes a relatively small portion of the exterior of the centre and given the relatively minor nature of the works, it is considered that the works will not compromise the overall architectural appearance of the centre.

Traffic and Parking

The proponent has outlined that stock will be delivered via the site's existing delivery area, using trucks up to 12.5m in length. Stock will be transferred directly from the delivery area, along the internal corridor, across the arcade section of the shopping centre to the tenancy.

In order to facilitate the orderly delivery of bulk stock (including pallets of beer etc.) and to not unreasonably impact upon other uses of the centre, it is recommended that all deliveries to the premises shall be limited to between 7am and 2pm, on Mondays to Fridays (i.e. outside of the centres' peak trading periods).

Economic Impacts

The proposal provides for the continued revitalisation of the site, generating employment opportunities and complementing existing commercial pursuits within the locality.

Security and Safety

The revitalisation of the site is likely to increase activity within the locality, thereby increasing general passive surveillance.

Social Impacts

The proposal provides for the revitalisation of a site within the Campbelltown Central Business Centre, generating employment opportunities and complementing existing commercial activities within the locality.

When giving regard to the possible impacts associated with use of a tenancy as a liquor outlet, it is noted that up until approximately 2007, another liquor outlet (BWS) operated within the centre and Council records indicate no issues or complaints being received in relation to the operation of the previous liquor outlet. In this regard, as there was no history of anti-social behaviour or the like resulting from the previous operation of a liquor store, the proposal was not referred to the NSW Police Force. However, this decision was made on the knowledge that the NSW Police Force will be consulted with the proponents Liquor Licence application.

7. Suitability of the Site

It is considered that the proposed development is suited to the site, and that the proposed development and the overall scheme to upgrade the site, is unlikely to result in any detrimental impacts for the site or the locality.

Public Participation

In accordance with the requirements of Campbelltown Development Control Plan No. 87, it was not necessary to notify the proposal.

Conclusion

The proposal complies with the relevant requirements and overall is considered satisfactory.

Officer's Recommendation

That Development Application 2485/2009/DA-C, for the reconfiguration of five (5) tenancies, into four (4) tenancies, including the fitout and use of one (1) tenancy as a liquor outlet, at the Marketfair Shopping Centre, 4 Tindall Street, Campbelltown, be approved, subject to the attached conditions.

Committee's Recommendation: (Kolkman/Oates)

That the Officer's Recommendation be adopted.

CARRIED

Voting for the Committee's Recommendation were Councillors: Bourke, Greiss, Kolkman, Matheson, Oates and Rowell.

Voting against the Committee's Recommendation: nil.

Council Meeting 4 May 2010 (Borg/Thompson)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 73

That the Officer's Recommendation be adopted.

Voting for the Council Resolution were Councillors: Borg, Bourke, Chanthivong, Glynn, Greiss, Hawker, Kolkman, Lake, Matheson, Oates, Rowell, Rule, Thomas and Thompson.

Voting against the Council Resolution: nil.

ATTACHMENT 1

Recommended Conditions of Consent

GENERAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

For the purpose of these conditions, the term 'applicant' means any person who has the authority to act on or benefit of the development consent.

1. Approved Development

The development shall be completed in accordance with the approved endorsed plans prepared by Christiansen O'Brien Pty. Ltd., listed below, and all associated documentation submitted with the application, except as modified in red by Council and / or any conditions of this consent.

<u>Drawing No.</u>	<u>Date Received by Council</u>
DA02 (Revision: DA3)	16 November 2009
LQ01 (Revision: DA3)	16 November 2009
DA04 (Revision: DA3)	16 November 2009

2. Building Code of Australia

All building work must be carried out in accordance with the provisions of the *Building Code of Australia*. In this clause, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

3. External Finishes

The external finishes shall be to match the existing finish of the building.

4. Operating Hours

The use of the premises / business shall be limited to:

Monday to Wednesday	9am - 8pm
Thursday to Saturday	9am - 9pm
Sunday	10am - 7pm

5. Deliveries

- a. Vehicles servicing the site shall comply with the following requirements:
 - i. All vehicular entries and exits shall be made in a forward direction.
 - ii. All vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads.
 - iii. All deliveries to the premises shall be made to the designated delivery / service area. Under no circumstances are deliveries to be made via the car parking area.
 - iv. All deliveries to the liquor store shall be limited to Monday to Friday between 7am and 2pm.
- b. Deliveries are to be transferred directly to the tenancy for storage and / or display immediately upon delivery.

6. Storage of Goods

All works, storage and display of goods, materials and any other item associated with the premises shall be contained wholly within the building.

7. Graffiti Removal

In accordance with the environmental maintenance objectives of 'Crime Prevention Through Environmental Design', the owner/lessee of the building shall be responsible for the removal of any graffiti which appears on the buildings, fences, signs and other surfaces of the property within 48 hours of its application.

8. Advertising Signs – Separate DA Required

This consent does not permit the erection or display of any advertising signs.

Most advertising signs or structures require development consent. You should make separate enquiries with Council prior to erecting or displaying any advertising or signage.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a construction certificate by either Campbelltown City Council or an accredited certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a construction certificate.

9. Section 94A Developer Contribution - Community Facilities and Services

Prior to Council or an accredited certifier issuing a Complying Development Certificate or a Construction Certificate (or where a Construction Certificate is not required, a Subdivision Certificate), the applicant shall provide a receipt for the payment to Council of a community facilities and services contribution in accordance with the provisions of the *Campbelltown City Council Section 94A Development Contributions Plan*.

For the purposes of calculating the required S94A contribution, where the value of the total development cost exceeds \$100,000, the applicant is required to include with the application for the respective certificate, a report setting out a cost estimate of the proposed development in accordance with the following:

- where the value of the proposed development is greater than \$100,000 but less than \$500,000, provide a Cost Summary Report by a person who, in the opinion of the Council, is suitably qualified to provide a Cost Summary Report (Cost Summary Report Template 1). All Cost Summaries will be subject to indexation on a quarterly basis relative to the *Consumer Price Index - All Groups* (Sydney) where the contribution amount will be based on the indexed value of the development applicable at the time of payment; or
- where the value of the proposed development is \$500,000 or more, provide a detailed development cost report completed by a quantity surveyor who is a registered member of the Australian Institute of Quantity Surveyors (Quantity Surveyors Estimate Report Template 2). Payment of contribution fees will not be accepted unless the amount being paid is based on a Quantity Surveyors Estimate Report (QS Report) that has been issued within 90 days of the date of payment. Where the QS Report is older than 90 days, the applicant shall provide an updated QS Report that has been indexed in accordance with clause 25J(4) of the Environmental Planning and Assessment Regulation 2000 to ensure quarterly variations in the *Consumer Price Index All Group Index Number for Sydney* have been incorporated in the updated QS Report.

Copies of the Cost Summary Report - Template 1 and the Quantity Surveyors Estimate Report - Template 2 are located under "Developer Contributions" on Council's web site (www.campbelltown.nsw.gov.au) or can be collected from Council's Planning and Environment Division during normal business hours.

On calculation of the applicable contributions, all amounts payable will be confirmed by Council in writing.

Payment of Section 94A Developer Contributions will only be accepted by way of Cash, Credit Card or Bank Cheque issued by an Australian bank. Payment by any other means will not be accepted unless otherwise approved in writing by Council.

Note: This condition is only applicable where the total development value exceeds \$100,000.

PRIOR TO THE COMMENCEMENT OF ANY WORKS

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with prior to the commencement of any works on site.

10. Erection of Construction Sign

Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:

- a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours;
- b. Stating that unauthorised entry to the work site is prohibited; and
- c. Pollution warning sign promoting the protection of waterways (issued by Council with the development consent);
- d. Stating the approved construction hours in which all works can occur.
- e. Showing the name, address and telephone number of the principal certifying authority for the work.

Any such sign/s is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

11. Toilet on Construction Site

Prior to the commencement of any works on the land, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part thereof. Each toilet provided must be a standard flushing toilet and be connected to:

- a. A public sewer, or
- b. If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council, or
- c. If connection to a public sewer or an accredited sewage management facility is not practicable, to some other management facility approved by Council.

12. Trade Waste

Prior to the commencement of any works on the land, a trade waste facility shall be provided on-site to store all waste pending disposal. The facility shall be screened, regularly cleaned and accessible to collection vehicles.

13. Public Property

Prior to the commencement of any works on site, the applicant shall advise Council of any damage to property which is controlled by Council which adjoins the site, including kerbs, gutters, footpaths, and the like. Failure to identify existing damage may result in all damage detected after completion of the development being repaired at the applicant's expense.

14. Footpath and Vehicular Crossing Levels

Prior to the commencement of any work, footpath and vehicular crossing levels are to be obtained from Council by lodging an application on the prescribed form.

15. Demolition Works

Demolition works shall be carried out in accordance with the following:

- a. Prior to the commencement of any works on the land, a detailed demolition work plan designed in accordance with Clause 1.7.3 of Australian Standard AS 2601-2001 – The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall be submitted to and approved by Council and shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
- b. Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council.
- c. The handling or removal of any asbestos product from the building/site must be carried out by a NSW Work Cover licensed contractor irrespective of the size or nature of the works. Under no circumstances shall any asbestos on site be handled or removed by a non-licensed person. The licensed contractor shall carry out all works in accordance with NSW Work Cover requirements.
- d. An appropriate fence preventing public access to the site shall be erected for the duration of demolition works
- e. Immediately prior to the commencement of the demolition or handling of any building or structure that contains asbestos, the applicant shall request that the principal certifying authority attend the site to ensure that all appropriate safety measures are in place. The applicant shall also notify the occupants of the adjoining premises and Workcover NSW prior to the commencement of any works.

DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with during the construction of the development on site.

16. Construction Work Hours

All work on site shall only occur between the following hours:

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 1.00pm
Sunday and public holidays	No Work.

17. Work Zones

All loading, unloading and other activities undertaken during construction shall be accommodated on the development site.

Where it is not practical to load, unload or undertake specific activities on the site during construction, the provision of a 'Work Zone' external to the site may be approved by Council following an application being submitted to Council's Traffic Unit outlining the proposal for the work zone. The application is required to be made prior to the commencement of any works and is to include a suitable 'Traffic / Pedestrian Management and Control Plan' for the area of the work zone that will be affected. All costs of approved traffic / pedestrian control measures, including relevant fees, shall be borne by the applicant.

18. Demolition Work/Plan

All work shall be completed in accordance with the approved demolition work plan designed in accordance with clause 1.7.3 of *Australian Standard A52601-2001 The Demolition of Structures*.

19. Completion of Construction Works

Unless otherwise specified in this consent, all construction works associated with the approved development shall be completed within twelve (12) months of the date of the notice of the intention to commence construction works under Section 81A of the Act.

In the event that construction works are not continually ongoing, the applicant shall appropriately screen the construction site from public view with architectural devices and landscaping to Council's written satisfaction.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of an occupation certificate by either Campbelltown City Council or an accredited principal certifying authority. All necessary information to comply with the following conditions of consent must be submitted with the application for an occupation certificate.

Note: For the purpose of this development consent, any reference to "occupation certificate" shall also be taken to mean "interim occupation certificate".

20. Structural Engineering Certificate

Prior to the principal certifying authority issuing an occupation certificate, the submission of a certificate from a practising structural engineer certifying that the building has been erected in compliance with the approved structural drawings and relevant SAA Codes and is structurally adequate.

21. Completion of External Works Onsite

Prior to the principal certifying authority issuing an occupation certificate, all external works, repairs and renovations detailed in the schedule of treatment/finishes, landscaping, driveways, fencing and retaining walls to be completed to the satisfaction of the principal certifying authority.

22. Council Fees and Charges

Prior to the principal certifying authority issuing an Occupation Certificate, the applicant shall obtain written confirmation from Council that all applicable Council fees and charges associated with the development have been paid in full. Written confirmation will be provided to the applicant following Council's final inspection and satisfactory clearance of the public area adjacent the site.

ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, other relevant Council Policy/s and other relevant requirements. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

Advice 1. Environmental Planning and Assessment Act 1979 Requirements

The Environmental Planning and Assessment Act 1979 requires you to:

- a. Obtain a construction certificate prior to the commencement of any works. Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 4645 4608.
 - b. Nominate a principal certifying authority and notify Council of that appointment prior to the commencement of any works.
 - c. Give Council at least two days notice prior to the commencement of any works.
 - d. Have mandatory inspections of nominated stages of the construction inspected.
 - e. Obtain an occupation certificate before occupying any building or commencing the use of the land.
-

Advice 2. Tree Preservation Order

To ensure the maintenance and protection of the existing natural environment, you are not permitted to ringbark, cut down, top, lop, remove, wilfully injure or destroy a tree outside 3 metres of the building envelope unless you have obtained prior written consent from Council. Fines may be imposed if you choose to contravene Council's Tree Preservation Order.

A tree is defined as a perennial plant with self supporting stems that are more than 3 metres or has a trunk diameter more than 150mm measured 1 metre above ground level, and excludes any tree declared under the Noxious Weeds Act (NSW).

Advice 3. Disability Discrimination Act

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Disability Discrimination Act 1992* (DDA1992). Where a Construction Certificate is required for the approved works, due regard is to be given to the requirements of the *Building Code of Australia* (BCA). However, your attention is drawn to the existence of the DDA1992 and that compliance with the various requirements of the BCA does not provide automatic compliance with the DDA1992. In this regard it is the sole responsibility of the owner, builder and applicant to ensure compliance with the DDA1992.

Advice 4. Covenants

The land upon which the subject building is to be constructed may be affected by restrictive covenants. Council issues this approval without enquiry as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this permit. Persons to whom this permit is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.

Advice 5. Altered / New Tenancies

Separate Development Applications may be required for the fit out and or use of the altered / new tenancies (i.e. 'S26', 'S26A' and 'S27').

Advice 6. Asbestos Warning

Should asbestos or asbestos products be encountered during construction or demolition works you are advised to seek advice and information prior to disturbing the material. It is recommended that a contractor holding an asbestos-handling permit (issued by Work Cover NSW), be engaged to manage the proper disposal and handling of the material. Further information regarding the safe handling and removal of asbestos can be found at:

www.environment.nsw.gov.au

www.nsw.gov.au/fibro

www.adfa.org.au

www.workcover.nsw.gov.au

Alternatively, call Work Cover Asbestos and Demolition Team on 8260 5885.

Advice 7. Smoke Free Environment Act

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Smoke Free Environment Act 2000* (SFEA2000) or the *Smoke Free Environment Regulations 2007* (SFER2007). In the event that the occupier wishes to facilitate smoking within any enclosed public place of the premises (in accordance with clause 6 of the SFER2007), the occupier must first contact NSW Department of Health to ensure that the design and construction of the area proposed to facilitate smoking fully complies with the requirements of the SFEA2000 and the SFER2007.

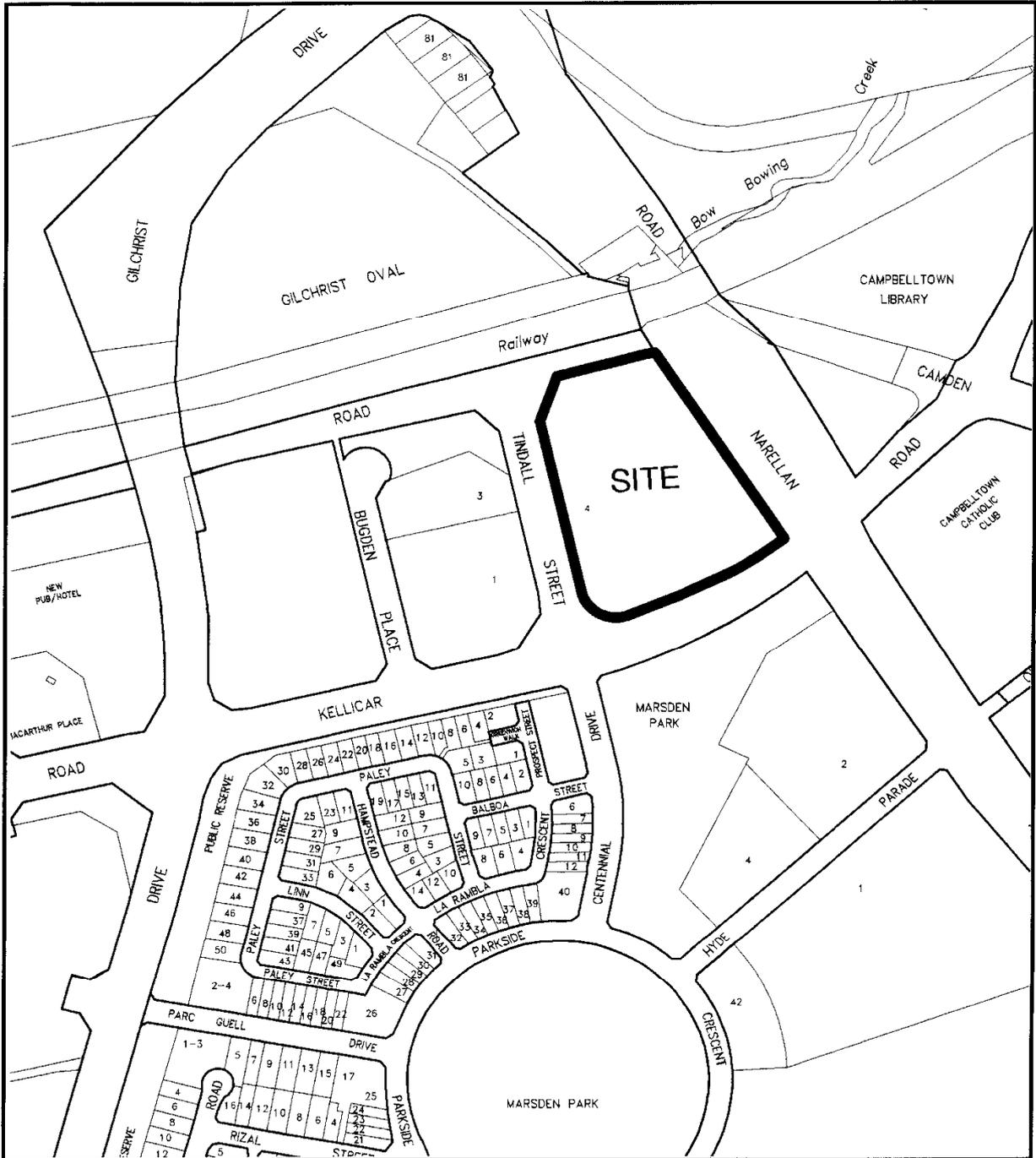
Advice 8. Dial 1100 Before you Dig

Underground cable and pipes may exist in the area. In your own interest and for safety, telephone 1100 before excavation or erection of structures. Information on the location of underground pipes and cables can also be obtained by fax on 1300 652 077 or through the following website - www.dialbeforeyoudig.com.au

END OF CONDITIONS

3.3 No. 4 Tindall Street, Campbelltown – Reconfiguration Of Five (5) Tenancies, Into Four (4) Tenancies, Including The Fitout And Use Of One (1) Tenancy As A Liquor Outlet

ATTACHMENT 2



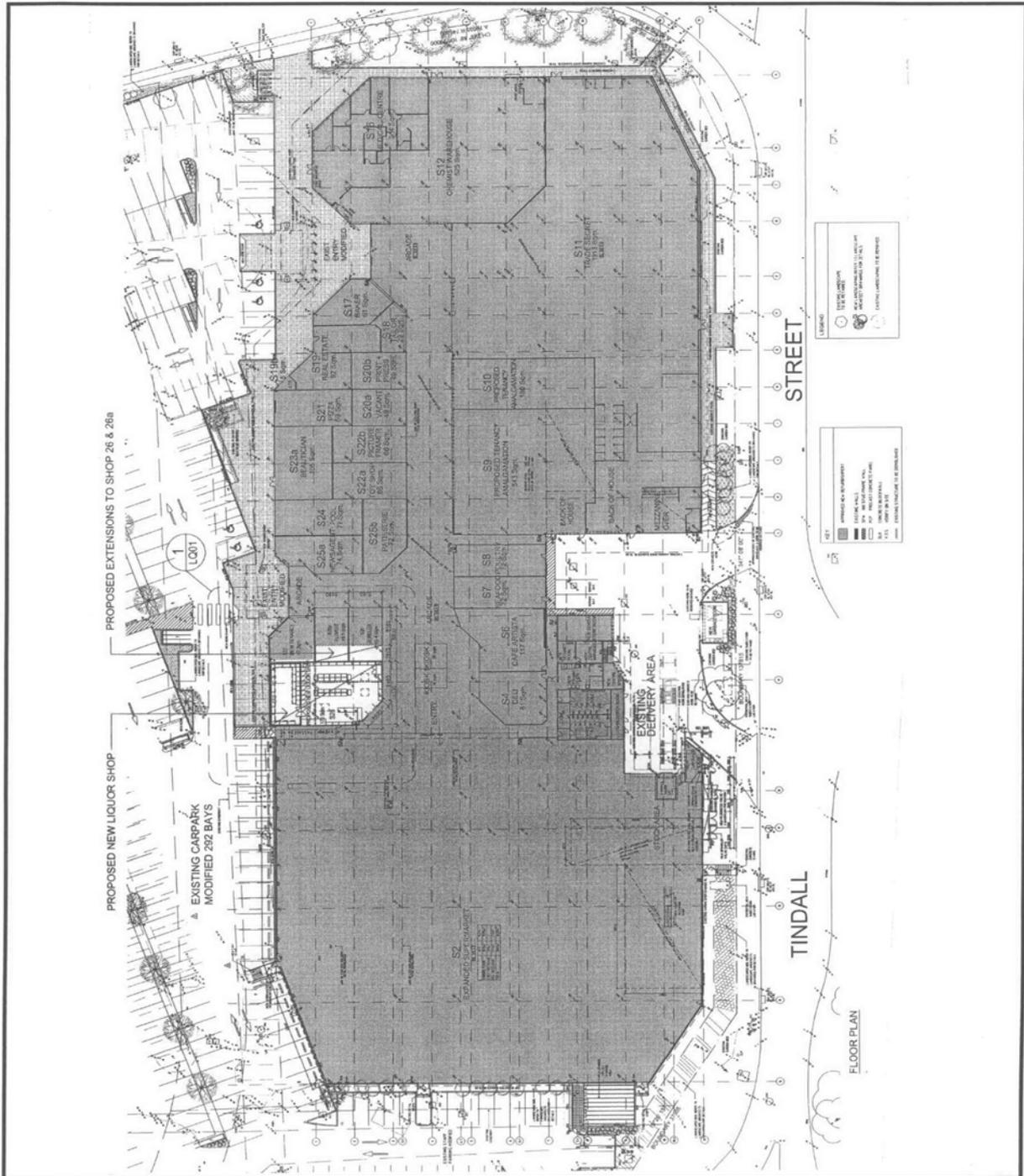
LOCALITY PLAN



SUBJECT:

RECONFIGURATION OF FIVE TENANCIES TO FOUR
 TENANCIES AND USE OF TENANCY AS A LIQUOR OUTLET.
 MARKETFAIR SHOPPING CENTRE - No. 4 TINDALL STREET, CAMPBELLTOWN.

ATTACHMENT 3

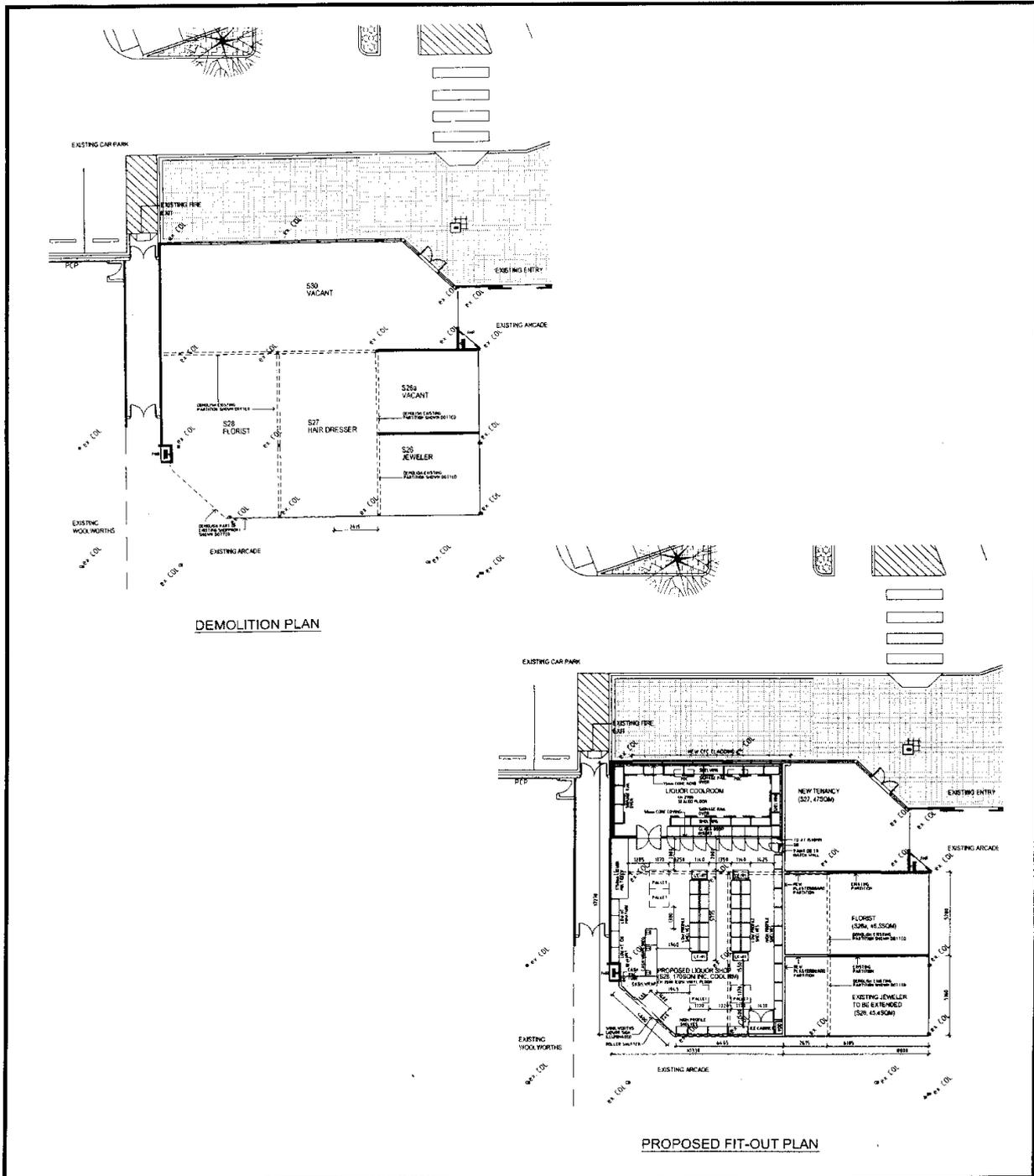


FLOOR PLAN

SUBJECT:

RECONFIGURATION OF FIVE TENANCIES TO FOUR TENANCIES AND USE OF TENANCY AS A LIQUOR OUTLET.
MARKETFAIR SHOPPING CENTRE - No. 4 TINDALL STREET, CAMPBELLTOWN.

ATTACHMENT 4

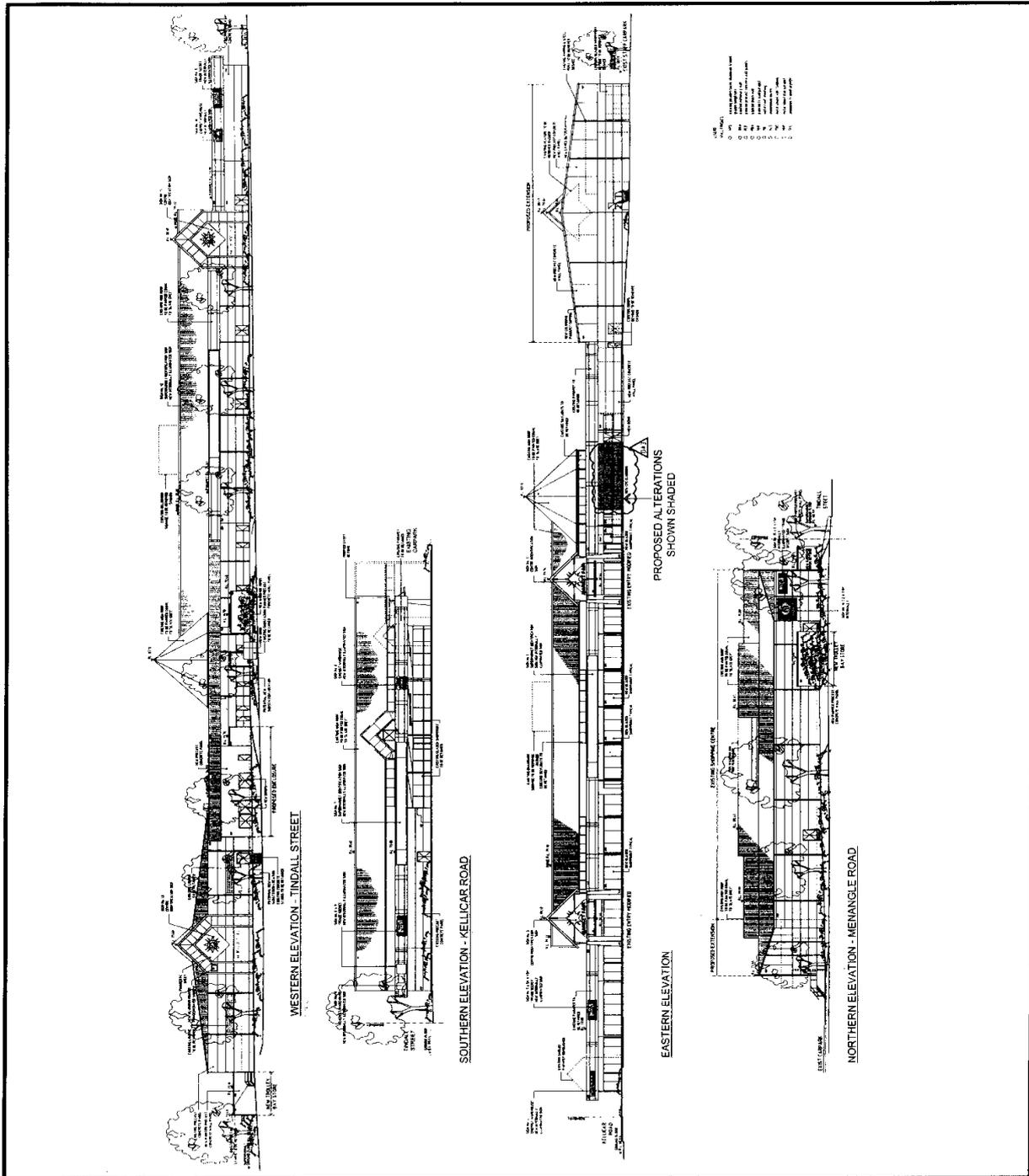


LAYOUT PLAN

SUBJECT:

RECONFIGURATION OF FIVE TENANCIES TO FOUR TENANCIES AND USE OF TENANCY AS A LIQUOR OUTLET.
MARKETFAIR SHOPPING CENTRE - No. 4 TINDALL STREET, CAMPBELLTOWN.

ATTACHMENT 5



ELEVATIONS

SUBJECT:

RECONFIGURATION OF FIVE TENANCIES TO FOUR TENANCIES AND USE OF TENANCY AS A LIQUOR OUTLET. MARKETFAIR SHOPPING CENTRE - No. 4 TINDALL STREET, CAMPBELLTOWN.